Supreme Court, U.S.
FILED
06-284 AUG 14 2006
OFFICE OF THE CLERK

No. _____

In The

Supreme Court of the United States

Anthony P. Keyter

Petitioner

versus

230 Government Officers

Respondents

On Petition for Writ of Certiorari To The United States Court of Appeals for the 9th Circuit

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PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

Question 1

Can the Court of Appeals legally affirm a manifestly illegal judgment from a lower court?

Question 2

Considering the number of crimes committed by presiding Court of Appeals judges in aiding the Respondents to evade civil and criminal prosecution, is their dispensing of the case legal?

Question 3

The Court of Appeals was requested to issue an order to compel the Respondents to obey the law and to execute their statutory duties, which duties Respondents are in violation of. Can the Court of Appeals legally dismiss this case without addressing the request?

Question 4

A large parcel of crimes committed by the Respondents form the substrata of this case. Although placed before the court, these crimes have not been investigated or prosecuted. Can the Court of Appeals legally dispense with this case without addressing the crimes?

LIST OF PARTIES

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Names of Appellees and Attorneys: *See* Appendix 1

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The opinion and order of the United States District Court for the Western District of Washington entered on May 20, 2005, is reproduced in Appendix 3.

JURISDICTION

The jurisdiction of this Court rests on 28 USC 1254 and Rule 10 of the Supreme Court Rules.

RULE INVOLVED

This petition for a writ of certiorari is filed under Rule 10 (a) of the Supreme Court Rules:

> *"A United States Court of Appeals ...has so far departed from the accepted and usual course of judicial proceedings, or has sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;"*

The business of the courts is to administer the laws and to bring justice to bear upon offenders of the laws. In violation of this very raison d'être, the Court of Appeals judges have engaged in conduct contrary to the laws and to the Constitution of the United States. The presiding judges have joined with a criminal conspiracy to defeat the ends of justice. The offending judges have spurned their duties to administer the laws and have instead provided protection to

known criminals and have aided and abetted the cover up of their crimes. The Court of Appeals for the Ninth Circuit has so far departed from the accepted and usual course of judicial proceedings, and has sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power.

This case embroils 230 senior officials of Washington State and the Federal Governments in criminal conduct and the cover up of crime. Accordingly, the case is of such public importance that it justifies consideration by the Supreme Court of this petition for a writ of certiorari.

CONSTITUTIONAL PROVISIONS INVOLVED

Every citizen living in the United States has by law the following two inalienable rights - that of lawful ownership of property, and that of equal protection of the laws, viz. US Constitution - Amendment XIV, Section 1:

> *"... nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws".*

Petitioner has repeatedly been denied these two inalienable rights by the Defendants, by the US District Court for the Western District of Washington, and by the US Court of Appeals for the 9th Circuit. Accordingly petitioner has addressed himself to the United States Supreme Court upon whose marble edifice is chiseled the compelling words: *"Equal Justice under Law".*

STATEMENT OF THE CASE

Despite the Constitutional protections of the 14th Amendment, Petitioner's assets were seized and he was stripped of a portion of his income by illegal government action. Since January 2002, the Petitioner has attempted, through the courts and authorities, to seek just treatment, to retrieve his property, to claim restitution and to bring the perpetrators of the crimes to book. However, officials have repeatedly moved to cover up the crimes in an effort to protect lawbreaking colleagues from civil and criminal prosecution, and to deny the Petitioner equal protection of the laws.

This melee has developed into a major and ongoing criminal conspiracy within the Washington State and Federal Governments to obstruct the administration of the laws, defeat the course of justice, provide protection to criminals, and to deny a law abiding citizen (Petitioner) the Constitutional right to protection of the laws and ownership of rightful property.

Exhaustive Measures

Petitioner has taken exhaustive measures to seek justice and restitution, and to animate the law enforcement process to retrieve his assets and to prosecute the crimes amongst officials - to no avail. He has to date made more than fifteen hundred (1500) individual written requests to three hundred and forty nine (349) officials – from the most junior police officer to the highest authorities in the land.

The numerous written requests for protection and enforcement of the laws were directed to officials from forty two (42) different, but pertinent, institutions of government. These institutions include the FBI and six other police departments, state and federal prosecutors, state and federal

judiciary committees, a state judicial conduct commission, state ethics boards, bar associations, state and federal attorney general offices, state and federal legislatures, and state and federal executive offices.

Requests for protection and enforcement of the laws, and claims for restitution were also made in several state and federal courts. These cases were filed in state superior courts, a state appeals court, and a state supreme court; federal district courts, federal appeal courts, and finally in the United States Supreme Court.

Corruption in Government / Judiciary

Prima facie evidence of the crimes was provided to the authorities and to the courts. Each official to whom the crimes were presented had the capacity, the authority, and a statutory duty, to address the crimes. However, each official omitted to perform their legal duties to investigate and prosecute, or to initiate same. In every instance the Petitioner's appeals for justice and protection of the laws were rejected in favor of a cover up of government and judicial wrongdoing, and in favor of protection of the lawbreaking officials implicated. In every instance where the lawsuits were decided by the courts, the courts willfully failed to deal with the deluge of crimes. The US Supreme Court has also failed to address the extensive corruption in government (and in its own corridors) placed before it in Case No 05-140.

In practice, government officers who break the law at the expense of the common man are unassailable. However, providing protection to criminals is a crime, and failure to have them identified is a crime.

Misprision / Obstruction / Conspiracy

The statute on Misprision of Felony (18 USC 4), amongst many other statutes, obligates officials to deal with felonies and other crimes which have been brought to their attention. The officials should have either initiated the investigations or prosecutions on their own volition, or alternatively, they should have passed the information on to somebody in authority who would have addressed the crimes. Each official violated the statute on misprision of felony.

By failing to act when action was due, each official similarly obstructed and impeded the due and proper administration of the law and violated the statute on Obstruction of Justice. (18 USC 1505). Moreover, by hindering and preventing the apprehension, trial, and punishment of lawbreaking peers, each official also furthered the aims of a broad ranging conspiracy against Petitioner's rights and conspiracy to commit offenses, and effectively promoted the objectives to obstruct the course of justice. As a result, each official became a co-conspirator to the crimes of the other offenders (18 USC 371) and accessories after the fact to the initial crimes (18 USC 3). Thus a staggering number of 1.6 million crimes have been documented according to the dictates of the law - indeed sobering statistics.

Associated Crimes

The crimes associated with this criminal conspiracy are of a serious nature and include, amongst others, the following: Burglary; Perjury; Fraud; Theft; Theft of Court Record; Failure of Duty; Official Misconduct; Rendering Criminal Assistance; Conspiracy against Rights; Conspiracy to Commit Offense; Deprivation of Rights under color of law; Misprision of Felony; Accessory after the Fact; and, Obstruction of Justice.

In a clear attempt to neutralize the Petitioner as a key witness to their crimes, the conspirators have also embarked upon severe intimidation and retaliation against him. This intimidation and retaliation includes the destruction of Petitioner's livelihood; obstructing Petitioner in the free exercise of his profession; attempts to curtail his freedom and personal liberty; and the deprivation of Petitioner's privacy through the illegal interception of all his communications in violation of the tenets of the Patriot Act.

Evidence of crimes

The acts of intimidation and retaliation by conspirators are more fully described in the Motion for Preliminary Injunction attached hereto as Appendix 7, which motion was summarily rejected by the Court of Appeals and which is part of the Court Record.

Two criminal dossiers comprising some 1600 pages provide details and some *prima facie* evidence of the more than 1.6 million contraventions of the criminal statutes by 377 conspirators. The dossiers, dated April 14, 2006, are a matter of Court Record as appendices 2 and 3 to the Motion for Preliminary Injunction. The dossier titled "State- supported Tyranny upon the Populace" describes crimes committed by members of the US Executive and conspirators closely associated with them. The two-volume dossier titled "Dossier of Crimes" meticulously records details of crimes originating in Washington State courts and progressing into the Washington State Government and the US Department of Justice.

These dossiers have also been filed with the US Supreme Court in two other cases arising out of the same criminal conspiracy, namely *Anthony P. Keyter vs. George W. Bush*, case no. 05-140, and the case *Keyter vs. Keyter* filed with the Supreme Court on February 1, 2006.

377 Known Conspirators

On April 14, 2006, there were three hundred and seventy seven (377) known conspirators implicated, of whom 349 were officials of government, including all 230 Defendants in this case. However, as the criminal violations are ongoing, and as an ever-increasing number of officials become implicated in the cover up of the crimes, the numbers keep escalating.

As the 349 officials involved in the criminal conspiracy hold pertinent positions in Washington State and Federal Governments, perversion of justice can have no clearer and more debased an example. Amongst Washington State officials are several police officers and six (6) police chiefs, county prosecutors, the present and past Attorney Generals, the Secretary of State, the Chief Justice, legislators, and the present and past Governors. Also included are 53 judges from the Washington State Superior Court, the Court of Appeals, and the Supreme Court of the state. Amongst federal officials involved in the criminal conspiracy are US Attorneys, FBI agents, federal judges of the US District and Appeal Courts and other senior officials of government.

Civil Suits

As a general principle, every act or omission consciously/willfully perpetrated which harms another person, constitutes a cause of action in a claim for damages in tort law. It follows then that every *criminal* act or omission which harms another, also gives rise to a civil claim for damages, as the criminal statutes merely reflect societal norms and common law duties and principles.

Accordingly, civil suits for damages were filed against malfeasant officials who, through their acts/omissions, breached the criminal statutes and thereby caused harm to the Petitioner. This case against the 230 Defendants/Respondents

is one such case. The US 9th Circuit Court of Appeals case *Anthony P. Keyter Vs Senator McCain et al* (06-15253) is another such case, and the US Supreme Court case *Anthony P. Keyter Vs George W. Bush* (05-140) is yet another. However, in each case the defendants committed further crimes in court to escape liability. In each case corrupt and politically motivated judges joined forces with the conspirators and have, in violation of the law, dismissed the cases before trial in order to protect lawbreaking government officials. Furthermore, the judicial system has failed to address the criminal offenses underlying the civil suits, and the offences committed in the courts.

In addition, in each case the courts were requested to order the defendants to obey the law and for each to execute his/her statutory duty regarding the crimes presented to him/her. Successive judges have simply ignored these requests. A petition for a writ of mandamus was filed in the US Supreme Court (case no. 05-140) requesting the Court to compel President Bush to see to his constitutional duties to administer the law where it has broken down regarding the crimes of this conspiracy. However, this petition was illegally removed from the Court Record before the Justices could deliberate thereon. It was re-filed on six occasions, but illegally removed from the Court Record each time.

In their efforts to counteract and nullify the court cases, the conspirators simply embarked upon theft of and tampering with court records, illegal removal of incriminating evidence, manipulation of court judgments, and a path of malicious intimidation and retaliation against the Petitioner as primary witness to the crimes of government officers. In addition, the criminal dossiers which describe and provide *prima facie* evidence of the crimes of the 377 conspirators as well of the 230 Respondents in this case, have illegally been removed

from the Court Records in all the cases filed with the Supreme Court.

Major Criminal conspiracy

The criminal acts described above furthered the common aims of, and were of mutual benefit to, all 377 conspirators listed in the criminal dossiers. The illegal removal of the criminal dossiers from the Supreme Court Record suppressed information of the crimes of all the conspirators. The illegal removal of the mandamus petitions saved all the conspirators from a court order enforcing criminal investigation and resultant prosecution.

It is the combined action by conspirators that has served to defeat the course of justice so absolutely - one conspirator or group performing one part of the criminal act, another, the other part of the act. For instance: one conspirator committing the crime of intimidating and retaliating against the Petitioner, the other illegally protecting that lawbreaking colleague by failing to prosecute the crime. Another case in point is the failure of the Judges of the US Court of Appeal for the 9th Circuit to offer Petitioner the protection of the law by summarily dismissing his Motion for Preliminary Injunction against the 230 Respondents. (Appendix 7).

Anthony P. Keyter vs. 230 Government Officers – Case Number 3:04cv5867

Petitioner filed a civil claim for damages in the District Court against 230 Government Officers and 52 Joinders for their acts/omissions in the criminal conspiracy which violated the Petitioner's rights, which violated their common law, statutory and constitutional duties to the Petitioner and to the state, and which acts/omissions caused the Petitioner harm, suffering and loss. In addition, an important cornerstone of the Petitioner's case is the request to Court to compel the Respondents to obey the law and to execute their statutory

duties; failing the issue of this order, the request was made for the Court to deal with the 1.6 million crimes committed by the Respondents and placed before the court.

However, this case has been characterized by an unremitting succession of criminal acts in order to protect the Respondents from civil and criminal prosecution, and to avoid an order to compel them to obey the law and execute their statutory duties. The criminal acts are not restricted to the litigants, but include the judiciary of the Federal District Court and Court of Appeals, who have indulged in an orgy of crime to protect the lawbreaking officials.

The initial crimes committed by the Respondents against the state and against the Petitioner which underlie the civil claim for damages, were presented to the court in a 1017 page "Dossier of Crimes" which form part of the Court Record, Docket 15. An updated version of this dossier was presented to the Court of Appeals as addendums 2 & 3 to the motion for preliminary injunction. (Appendix 7). The crimes committed by the Respondents during the course of this case are detailed in the Court Record and in the criminal charges filed before the District Court (Dockets 33, 34, 41, and 42). For example, the Respondents submitted motions to dismiss which were fraught with deceit and with violations of criminal law. The violations include:- numerous counts of fraud; perjury; conspiracy to commit crimes; obstruction of justice; and others. In addition, certain of the Respondent's counsel acted in severe conflict of interest and ultra vires.

Crimes Committed by the District Court Judge in Case Number 3:04cv5867

In presiding over the case, and in his judgment, District Court Judge Lovell committed numerous crimes in his illegal attempts to protect the Respondents from criminal and civil liability for their violations of law. The judge failed to recuse

himself under circumstances which demand recusal, in contravention of 28 USC 144 and USC 455. The Judge granted the Respondents' motions to dismiss despite his knowledge that they were born in crime, thereby providing formal sanction to illegal acts. The Judge committed fraud in his judgment, misrepresenting the case with no less than 47 false statements, which all constitute acts of perjury. He tampered with and falsified court evidence in violation of USC 1506.

Judge Lovell failed to address the known crimes of the Respondents before dismissing the case, in violation of his judicial duties and the law, amongst others 18 USC 4, 28 USC 535(b), and the Federal Rules of Criminal Procedure, Rule 4. In that failure to administer the laws the judge provided protection to known criminals and obstructed the course of justice in contravention of Statute 18 USC 1505. In all, the judge violated 21 statutes and the Federal Rules on Criminal Procedure. His judgment was not an articulation of *justice*, but rather a pernicious political act of judicial fraud.

The crimes committed by Judge Lovell in presiding over the District Court case number 3:04cv5867 are well documented in the Appeal Brief. (Appendix 6).

REASONS FOR GRANTING THE WRIT

1. THE JUDGMENT IS ILLEGAL

The Appeals Court judges continued and furthered the illegal protection of lawbreaking officials and the debauchery in government/judicial circles by affirming the patently fraudulent and illegal judgment of the District Court. Through their affirmation of the District Court Judgment, they not only displayed a curious reluctance to use their powers to reign in obviously corrupt officials, they actively

condoned the lawlessness by Respondents and by the District Court judge. By dismissing the case without attending to the underlying crimes, the Appeals Court judges willfully provided protection to known criminals and a safe passage for them through the 9th Circuit Court of Appeals. In the process, the Appeals Court judges committed several crimes which render their judgment illegal.

Obstruction to the course of justice

Statute 18 USC 1505 prohibits the obstruction of justice via the failure to administer the laws. The presiding Appeals Court judges were provided with probable cause and had a mandatory judicial duty pursuant to Rule 4 of Federal Rules of Criminal Procedure to arrest the Respondents, their counsel, and the District Court judge. Statute 28 USC 535(b) provides further obligations regarding the investigation and prosecution of lawbreaking government officers. The Appeals Court judges simply turned a blind eye to the multiple crimes committed by Respondents, by their Counsel and by District Court Judge Lovell. Through their criminal neglect the Appeals Court judges violated 18 USC 1505.

Misprision of felony

The presiding Appeals Court judges had a statutory obligation in terms of 18 USC 4 to address the multiple crimes committed by the Respondents, by their counsel, and by the District Court judge. Sixteen hundred pages of detail and *prima facie* evidence of multiple felonies committed by the Respondents and District Court judge was placed before the Court of Appeals in the "Dossier of Crimes". The Appeals Court judges simply ignored the evidence and requests to deal with the crimes, and thereby violated the law on misprision of felony (18 USC 4).

Perjury

In order to provide legal respectability to their fraudulent judgment, Appeals Court judges cloaked their judgment in numerous false, fraudulent and perjurous statements – a tool apparently widely used by judges across the United States. Those false statements are dealt with in Appendix 5.

Fraud

Appeals Court judges committed fraud by affirming a patently fraudulent judgment. They committed further fraud by ignoring a substantial part of Petitioner's case, i.e. the request to issue a writ of mandamus and the request to address the crimes placed before the court. Their omissions were not benign acts of neglect, but a conscious, willful, and criminal effort on the part of the Appeals Court judges to protect known criminals - the Respondents and Judge Lovell – and cover up their crimes.

Violation of the 14th Amendment – Denial of due process and protection of the laws.

The repudiation by the Court of Appeals of the lawlessness in the District Court, and the denial of the validity of the crimes of state officials exposed in the "Dossier of Crimes", violated the Petitioner's 14th Amendment right to *due process*, and *equal protection of the laws.* The judgment by the Court of Appeals affirming the ruling by the District Court is in conflict with the 14th Amendment and must be overturned by the US Supreme Court.

In addition, the summarily denial of the Motion for Preliminary Injunction without sound legal reason, constitutes a further violation of the Petitioner's 14th Amendment right to due process, and to equal protection of the laws.

Unrestrained Bias

Through their judgment the Court of Appeals judges disclose a malevolent disposition towards the Petitioner and an unrestrained bias towards Respondents. They aided and abetted the Respondents to escape criminal and civil prosecution by illegal means.

Court of Appeals judges have advantaged the Respondents by providing them protection for felonies committed in connection with this case, by sanctioning their ongoing crimes against the Petitioner, and by obstructing the proper conduct of justice. Court of Appeals judges failed to perform peremptory judicial functions pursuant to Titles 18 USC 4, 18 USC 1505, 18 USC 3041, 28 USC 535 (b)(1), Rule 4 of Criminal Procedures, and other statutes. Court of Appeals judges committed perjury to secure an apparent legal premise for affirming the illegal District Court judgment. These transgressions of law were perpetrated in clear favor of the Respondents and in prejudice against the Petitioner. The conduct of the Court of Appeals judges rendered impartial judgment impossible. Through their conduct, Court of Appeals judges violated 28 USC 144 and 28 USC 455.

Question: Can the Court of Appeals uphold a patently illegal ruling from a lower court?
Answer: No.

Question: Can the Court of Appeals dismiss a civil case and crimes presented to them before those crimes, which form the substrata of the case, have been investigated?
Answer: No.

Question: Can a judgment by the Court of Appeals which is contrived in crime, be legal?
Answer: No.

The Court of Appeals Order affirming the District Court Ruling to dismiss the case was contrived in illegality. This illegality warrants overturning the Court of Appeals judgment by the Supreme Court.

2. THE COURT HAS SUBJECT MATTER JURISDICTION

The judgment of District Court Judge Lovell was a carefully contrived act of fraud aimed at a predetermined outcome - that of dismissal of the case. In particular, the judge propagated the false notion that the case was in effect a *"domestic relations case"*, and that it was an attempt to "*realign the asset distribution of a marital dissolution"*. The judge then cunningly reinforced that fallacious notion by means of 15 false statements. Having established that false foundation throughout his written judgment, the judge fraudulently proceeded to argue that the federal courts have no jurisdiction over a domestic relations proceeding and that he was therefore obliged to dismiss the case. Judge Lovell reinforced this latter false argument no less than 13 times in his judgment. It is clear that the judge acted on the assumption that if one repeats a lie often enough it eventually masquerades as the truth. Both notions propagated by the Judge are of course false. (Appendix 6, App. 47- 48).

In truth and in fact the Petitioner's case is *not* a domestic relations case, and the mere insistence by a corrupt judge does not make it so. Petitioner brought a civil claim for damages against 230 Respondents (and seeks to join 52 others) for *their* violations of Petitioner's rights, and for *their* violation of *their* common law, statutory and constitutional duties to the Petitioner and to the state, which violations caused the Petitioner harm, suffering and loss. In addition, an important cornerstone of the Petitioner's case was the request to Court to compel the Respondents to obey the law

and to execute their statutory duties; failing the issue of that order, the request was made to the judge to execute *his* statutory duties and to deal with multiple crimes committed by the Respondents and placed before the judge. The cause of action is clearly described in the Complaint (paragraphs VI, VII, VIII and X), and it does not correspond with that which the judge fraudulently purported. By reading the Complaint and other Court Records the learned judge could not possibly have misinterpreted the case as a request for a review of asset distribution in a domestic relations case, as he suggested.

The deliberate misrepresentation of the essence of the case by the judge, and his enhancement of that false theme throughout the judgment, had the clear intent to deny Petitioner protection of the law and to deceive the institution of the Court and the public. The Court of Appeals affirmed the fraudulent ruling on the grounds that the District Court had a *"lack of subject matter jurisdiction"*. That lack of jurisdiction was premised upon the falsity that the essence of the case was one of *"domestic relations"*.

The United States Supreme Court cannot support this fraudulent aspect of the Appeals Court Judgment, must overturn the judgment, and must address the fraud in both the District and the Appeals Courts.

3. IMPARTIALITY / PREJUDICE

The Court of Appeals stated in its judgment that *"The district court did not abuse its discretion by denying Keyter's motion to disqualify the presiding judge in this case because Keyter failed to file an affidavit in support of his motion, see 28 U.S.C. § 144,"* (Appendix 2, App.12). This is a misleading and false statement by the judges. An affidavit *was* filed by the Petitioner, in the form of the *pro se* motion to disqualify Judge Lovell. A motion signed by a pro se litigant *is* an

affidavit certifying to court that the information presented is truthful and factual. (Rule 11, Federal Rules of Civil Procedure).

Moreover, by aiding and abetting, and by criminally protecting the Respondents, District Court Judge Lovell disclosed a malevolent disposition towards the Petitioner which is untenable by any standards, and which rendered impartial judgment impossible. The statute 28 USC 455 compels a judge of the United States to disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

That impartiality was brought to the District Court's attention in a motion to disqualify Judge Lovell. However, the judge reviewed his own impartiality, his bias and deep-seated favoritism of the Respondents, and then stated in his order: "I find no evidence of deep-seated favoritism or antagonism". (Appendix 3, App.23).

However, the notion that man can objectively review his own subjective acts is simply absurd. There is no treaty on human behavior that champions such a far-flung hypothesis. It cannot reasonably be expected of a Saddam Hussein or a Bin Laden to objectively review their own wicked acts – nor can a judge objectively review his own tainted mindset. It can also not be said that our judges are good (moral) and pure, and that in their minds will be found neither corruption nor defilement nor malignant bent. No, our judges merely reflect the prevailing consciousness of today's society – its ethics and its ills, which ills are so sadly demonstrated in this case. There is no moral perfection in a man or woman merely because he/she has assumed the mantle of 'judge'.

No sound legal system can permit a judge to decide on his own 'bias' or 'favoritism'. Yet the Appeals Court discarded any notion of impartiality by Judge Lovell of the District

Court, and discarded the imperative of 28 USC 455. The United States Supreme Court is obliged in law to overturn an Appeals Court Ruling which affirms a District Court judgment rendered in contravention of 28 USC 455 and 28 USC 144.

4. FRAUD IS SUPPORTED BY THE RECORD

The Court of Appeals affirmed the judgment on the grounds that *"... Keyter's contention that the district judge committed fraud is unsupported by the record."* (Appendix 2, App.12). However, that is a perjurous statement. The following documents in the record substantiates the fraud: a) Motion for stay of judgment, b) The criminal dossiers, Docket 15, c) Petitioner's briefs in opposition, Docket's 33, 34, 41, 42. d) Motion to Disqualify Judge Lovell, Docket 53.

The United States Supreme Court cannot allow an Appeals Court Ruling to stand which affirms a District Court judgment drenched in fraud.

5. THE CASE IS NOT FRIVOLOUS

The Court of Appeals stated in its judgment that *"The district court did not abuse its discretion ... because the court made substantive findings of frivolousness..."*. (Appendix 2, App. 12). The Oxford English Dictionary defines 'frivolous' as 'not having any serious purpose or value'. Other dictionaries describe the meaning of the word as 'unimportant', 'trifling' and 'silly'.

The Petitioner has Fourteenth Amendment Constitutional rights, as well as Common Law rights, just as any other citizen of the USA. These rights were violated by the Respondents which caused the Petitioner harm, suffering and loss.

Question: Can it be said that a civil claim for damages for this harm, suffering, and loss, caused to the Petitioner as a result of violations by Respondents of Constitutional rights and their common law duties, constitutes a frivolous, unimportant or silly lawsuit?
Answer: No.

A parcel of crimes was placed before each of the 230 Respondents in this case, with the request to investigate or initiate investigations thereof. Each has a statutory obligation and the authority to deal with the particular parcel of crimes presented to him/her. Each willfully failed that obligation and covered up the crimes.

Question: Can the request to Court to issue an order compelling 230 officers of state and federal government to obey the law and execute their statutory duties, when they are in breach of those duties, constitute a frivolous lawsuit?
Answer: No.

The Court was requested to deal with the allegation of multiple crimes "submitted to Court in the Dossier of Crimes, in terms of Rule 4 of Federal Rules of Criminal Procedure and the statute on Misprision of Felony (18 USC 4)."

Question: Can this serious aspect of the Complaint possibly be termed frivolous?
Answer: No

The dismissal of Petitioner's case on the grounds that the Complaint is 'frivolous' must be seen in the wider context of Judge Lovell's fraud. He falsely and perjurously presented that argument to the court and to the public solely in order to provide substance to a fraudulent judgment. Yet the Court of Appeals found that Judge Lovell did not abuse his discretion

by finding the case frivolous, and the Appeals Court irregularly affirmed the judgment.

The United States Supreme Court cannot allow an Appeals Court Ruling to stand which affirms a District Court judgment contrived in fraud.

8. ORDER TO COMPELL / WRIT OF MANDAMUS

District Court Judge Lovell ignored the facts and major elements of the case. In his judgment he ignored the request for an order to compel the Appellees to obey the law and to execute their statutory duties which they are in breach of, both in their personal and official capacities. He also ignored the request to execute *his* statutory duties to deal with multiple crimes committed by the Appellees and other government officials and placed before Judge Lovell. (Complaint, § XIV. 6).

The fraudulent negation of this substantial part of the case was a conscious, willful, and criminal effort to protect known criminals - the Respondents – and to cover up their crimes. The judge had the clear intent to deny the Petitioner the protection of the Constitution and of the law, and to defraud the Petitioner of any restitution for the malfeasant acts of the Respondents.

The omission to consider as part of the case these important requests to court, and the willful failure by the judge to deal with his statutory obligations regarding the crimes, rendered the judgment not only defective, but also illegal. (Rule 4, Federal Rules of Criminal Procedure and 18 USC 4).

Question: Were the Court of Appeals judges acting legally in affirming a judgment which fraudulently ignored a substantial part of the case, and which ignored the law?

Answer: No. Yet the Court of Appeals affirmed the illegal judgment.

Furthermore, as there had been a major failure of the government and judicial system to deal with the broad criminal conspiracy surrounding this case, the Court of Appeals was petitioned to issue *"a Writ of Mandamus ordering each Defendant to execute his/her statutory duty with regard to the particular parcel of crimes presented to him/her, alternatively, the Plaintiff prays that pursuant 18 USC 4, 18 USC 3041, Rule 4 of Federal Rules for Criminal Procedure and other laws which direct and mandate the Court, the Court of Appeals deals with the 1.6 million crimes presented to the Court in Excerpt 9 (Docket 15), and the 1.5 million crimes presented to the Court in Dockets 33, 34, 41, and 42."* (Appendix 6, App. 65)

The Court of Appeals likewise negated that request, ignored the large number of serious crimes in and underlying the case, and ignored the law and the Federal Rules for Criminal Procedure.

Question: Were the Court of Appeals judges acting legally in denying the request for a writ of mandamus which was instituted to command the Respondents to obey the law?
Answer: No.

CONCLUSION

The Petitioner submits that the Appeal Court's judgment so far departs the norms of society, and departs the principles of just and ethical government enshrined in the Constitution, that the judgment of the Court of Appeals warrants overturning by the Supreme Court.

The combined lawlessness by government and judicial officials alike must be addressed by the Supreme Court, lest this lawlessness, and incestuous protective relationship, be entrenched as a norm in society, if not already deep-rooted.

It is of national interest to the United States that the nation has a just and law abiding government. It is of vital importance to the nation that its government officers obey the laws and uphold the Constitution. It is essential that the court system administers the laws autonomously and provides due process in keeping with its raison d'être.

This case, however, exemplifies lawlessness in the entire United States government system, and the impunity with which officials can violate the criminal statutes and inflict harm upon the public. In this case government officers (and institutions) have shunned the laws, provided protection to criminal elements in their midst, and covered up the crimes, thereby engendering a certain brand of tyranny upon the populace. The lower courts have with callous disregard sanctioned these illegal deeds and have protected the perpetrators.

The prominence of a case involving 230 officials of government in criminal activity provides compelling reasons for the Supreme Court to exercise its oversight responsibilities. The shear magnitude of criminality, which the lower courts have sanctioned in this case, warrants the Supreme Court's attention. It is imperative for the Supreme Court to intervene and to terminate the ongoing criminal conspiracy within the government and the courts of the United States.

The Supreme Court Justices have a clear choice to act resolutely and enforce the nation's laws and restore order to the demonstrated anarchy, or, to condone and entrench the

corruption in the lower courts and provide its seal of approval to the lawlessness in the government of the United States.

These issues present undeniable cause for authoritative judicial resolution at the highest level of judicial authority in the United States.

Respectfully Submitted,

Anthony P. Keyter
(Pro Se)

August 14, 2006

Appendices

To Petition for Writ of Certiorari

Anthony P. Keyter v. 230 Government Officers

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APPENDIX 1

LIST OF PARTIES

WASHINGTON STATE EMPLOYEE DEFENDANTS

Attorney: Jennifer Meyer, Assistant Attorney General, PO Box 40126, Olympia, WA 98504

Washington State Executive:
1st Defendant: Gary Locke, Governor
2nd Defendant: Brad Owen, Lt. Governor
3rd Defendant: Sam Reed, Secretary of State
4th Defendant: Christine Gregoire, Attorney General
230th Defendant: Jeffrey Goltz, Deputy Attorney General

Washington State Courts
5th Defendant: Gerry Alexander, Chief Justice
6th Defendant: Marywave Van Deren, Appeals Court Judge
7th Defendant: Deborah Fleck, Superior Court Judge

Washington State Committee on Judicial Conduct
8th Defendant: Sherry Appleton
9th Defendant: Vivian Caver
10th Defendant: Marianne Connelly
11th Defendant: Gregory Dallaire
12th Defendant: ~~Michael E.~~ Donohue, Judge
13th Defendant: Margo Keller
14th Defendant: Connie Michener
15th Defendant: Ruth Reukauf, Judge
16th Defendant: John A. Schultheis, Judge
17th Defendant: K. Collins Sprague
18th Defendant: Todd K. Whitrock
19th Defendant: Mary Kay Becker, Judge
20th Defendant: John McCarthy, Judge

21st Defendant: Antonio Cube, Sr.
22nd Defendant: Joseph Delay
23rd Defendant: Judie Fortier
24th Defendant: Nora Gallaher
25th Defendant: Lorraine Lee
26th Defendant: Wanda Briggs
27th Defendant: Mike Sotelo
28th Defendant: Betsy Wilkerson
29th Defendant: Judge Clark
30th Defendant: David Akana
31st Defendant: Barrie Althof

Washington State Senate
32nd Defendant: Don Benton
33rdDefendant: Dale Brandland
34th Defendant: Lisa Brown
35th Defendant: Don Carlson
36thDefendant:Alex Deccio
37th Defendant: Mark Doumit
38th Defendant: Tracey Eide
39th Defendant: Luke Esser
40th Defendant: Darlene Fairley
41st Defendant: Bill Finkbeiner
42nd Defendant: Rosa Franklin
43rd Defendant: Karen Fraser
44th Defendant: Patricia Hale
45th Defendant: Jim Hargrove
46th Defendant: Mary Margaret Haugen
47th Defendant: Mike Hewitt
48th Defendant: Jim Honeyford
49th Defendant: Jim Horn
50th Defendant: Ken Jacobsen
51st Defendant: Stephen Johnson
52nd Defendant: Jim Kastama
53rd Defendant: Karen Keiser

54th Defendant: Adam Kline
55th Defendant: Jeanne Kohl-Welles
56th Defendant: Rosemary McAuliffe
57th Defendant: Bob McCaslin
58th Defendant: Bob Morton
59th Defendant: Joyce Mulliken
60th Defendant: Bob Oke
61st Defendant: Linda Evans Parlette
62nd Defendant: Erik Poulsen
63rd Defendant: Margarita Prentice
64th Defendant: Marilyn Rasmussen
65th Defendant: Aaron Reardon
66th Defendant: Debbie Regala
67th Defendant: Pam Roach
68th Defendant: Dino Rossi
69th Defendant: Dave Schmidt
70th Defendant: Larry Sheahan
71st Defendant: Betti Sheldon
72nd Defendant: Tim Sheldon
73rd Defendant: Paull Shin
74th Defendant: Harriet Spanel
75th Defendant: Val Stevens
76th Defendant: Dan Swecker
77th Defendant: Pat Thibaudeau
78th Defendant: James West
79th Defendant: Shirley Winsley
80th Defendant: Joseph Zarelli

Washington State House of Representatives

81st Defendant: John Ahern
82nd Defendant: Gary Alexander
83rd Defendant: Glenn Anderson
84th Defendant: Mike Armstrong
85th Defendant: Barbara Bailey

86th Defendant: Brad Benson
87th Defendant: Jean Berkey
88th Defendant: Brian Blake
89th Defendant: Marc Boldt
90th Defendant: Jim Buck
91st Defendant: Roger Bush
92nd Defendant: Jack Cairnes
93rd Defendant: Tom Campbell
94th Defendant: Michael Carrell
95th Defendant: Bruce Chandler
96th Defendant: Maralyn Chase
97th Defendant: Frank Chopp
98th Defendant: Jim Clements
99th Defendant: Judy Clibborn
100th Defendant: Eileen Cody
101st Defendant: Cary Condotta
102nd Defendant: Steve Conway
103rd Defendant: Mike Cooper
104th Defendant: Don Cox
105th Defendant: Larry Crouse
106th Defendant: Jeannie Darneille
107th Defendant: Richard DeBolt
108th Defendant: Jerome Delvin
109th Defendant: Mary Lou Dickerson
110th Defendant: Hans Dunshee
111th Defendant: Jeanne Edwards
112th Defendant: William Eickmeyer
113th Defendant: Doug Ericksen
114th Defendant: Dennis Flannigan
115th Defendant: Bill Fromhold
116th Defendant: Jeff Gombosky
117th Defendant: Bill Grant
118th Defendant: Kathy Haigh
119th Defendant: Shirley Hankins
120th Defendant: Brian Hatfield
121st Defendant: Bill Hinkle

122nd Defendant: Janéa Holmquist
123rd Defendant: Zack Hudgins
124th Defendant: Sam Hunt
125th Defendant: Ross Hunter
126th Defendant: Fred Jarrett
127th Defendant: Ruth Kagi
128th Defendant: Phyllis Gutierrez Kenney
129th Defendant: Lynn Kessler
130th Defendant: Steve Kirby
131st Defendant: Dan Kristiansen
132nd Defendant: Patricia Lantz
133rd Defendant: Kelli Linville
134th Defendant: John Lovick
135th Defendant: Dave Mastin
136th Defendant: John McCoy
137th Defendant: Joe McDermott
138th Defendant: Joyce McDonald
139th Defendant: Jim McIntire
140th Defendant: Lois McMahan
141st Defendant: Cathy McMorris
142nd Defendant: Thomas Mielke
143rd Defendant: Mark Miloscia
144th Defendant: Jim Moeller
145th Defendant: Dawn Morrell
146th Defendant: Jeff Morris
147th Defendant: Edward Murray
148th Defendant: Daniel Newhouse
149th Defendant: Toby Nixon
150th Defendant: Al O'Brien
151st Defendant: Ed Orcutt
152nd Defendant: Kirk Pearson
153rd Defendant: Eric Pettigrew
154th Defendant: Cheryl Pflug
155th Defendant: Skip Priest
156th Defendant: David Quall
157th Defendant: Dan Roach

158th Defendant: Phil Rockefeller
159th Defendant: Sandra Singery Romero
160th Defendant: Laura Ruderman
161st Defendant: Sharon Tomiko Santos
162nd Defendant: Lynn Schindler
163rd Defendant: Mark Schoesler
164th Defendant: Shay Schual-Berke
165th Defendant: Barry Sehlin
166th Defendant: Jan Shabron
167th Defendant: Geoff Simpson
168th Defendant: Mary Skinner
169th Defendant: Helen Sommers
170th Defendant: Brian Sullivan
171st Defendant: Bob Sump
172nd Defendant: Gigi Talcott
173rd Defendant: Rodney Tom
174th Defendant: Dave Upthegrove
175th Defendant: Velma Veloria
176h Defendant: Deb Wallace
177th Defendant: Alex Wood
178th Defendant: Beverly Woods

Washington State Executive Ethics Board
179th Defendant: James Vaché
180th Defendant: Marilee Scarbrough
181st Defendant: Laquita Fields
182nd Defendant: Paul Zellinski
183rd Defendant: Trish Akana
184th Defendant: Brian Malarky

Washington State Legislative Ethics Board
185th Defendant: Paul Aldinger
186th Defendant: James Anderson
187th Defendant: William Asbury
188th Defendant: John Betrozoff
189th Defendant: Ruth Schroeder

190th Defendant: Mike O'Connell

Washington State Patrol
208th Defendant: Ronal Serpas, Chief
209th Defendant: Lt. Davis
210th Defendant: Sergeant Dahl
211th Defendant: Joe Olson

PIERCE COUNTY DEFENDANTS

Attorney: Daniel R. Hamilton, Office of Prosecuting Attorney, 955 Tacoma Ave S. Suite 301, Tacoma, WA 98402.

Pierce County Councilors
191st Defendant: Shaun Bunney
192nd Defendant: Paul Bocchi
193rd Defendant: Barbara Gelman
194th Defendant: Calvin Goings
195th Defendant: John Ladenburg, Executive Officer
196th Defendant: Terry Lee
197th Defendant: Harold Moss
198th Defendant: Kevin Wimsett

Pierce County Sheriff's Department
212th Defendant: Paul Pastor, Sheriff
213th Defendant: Graig Adams
214th Defendant: Deputy Brame

Pierce County Prosecutors Office
218th Defendant: Gerald Horne, Chief Prosecuting Attorney
219th Defendant: Gerald Costello, Prosecuting Attorney

CITY OF TACOMA DEFENDANTS

Attorney: Jon J. Walker, Tacoma City Attorney's Office, 747 Market St., Suite 1120, Tacoma, WA 98402

Tacoma City Councilors
199th Defendant: Bill Baarsma, Mayor
200th Defendant: Bill Evans

201st Defendant: Connie Ladenburg
202nd Defendant: Mike Lonergan
203rd Defendant: Sharon McGavick
204th Defendant: Doug Millar
205th Defendant: Bil Moss
206th Defendant: Kevin Phelps
207th Defendant: Rick Talbert

City of Tacoma Police Department
215th Defendant: Catherine Woodard, Deputy Chief of Police

CITY OF GIG HARBOR DEFENDANTS

Attorney: Carol A. Morris, Law Office of Carol A. Morris, PO Box 948,
Seabeck, WA 98380

City of Gig Harbor Police Department
216th Defendant: Mitch Barker, Chief of Police
217th Defendant: Officer Entze

UNITED STATES DEPARTMENT OF JUSTICE DEFENDANTS

Attorney: Mr. Robert Brouillard, United States Attorney's Office, 700 Stewart Street, Suite 5220, Seattle, WA. 98101

US Attorney's Office
220th Defendant: John McKay, US Attorney
221st Defendant: Donald Currie, Assistant US Attorney

FBI, Seattle
222nd Defendant: Charles Mandigo, Special Agent in Charge
223rd Defendant: Danny Barkley, Supervisory Special Agent
224th Defendant: (Unnamed female) Special Agent on Duty, 3.30pm, March 5, 2003

United States Department of Justice, Washington DC
225th Defendant: Ralph Boyd, Jr. - Assistant United States Attorney General
226th Defendant: Albert Moskowitz – Chief, Criminal Section, Civil Rights Division
227th Defendant: Ysmael Fonseca – Paralegal Specialist, Criminal Section.
228th Defendant: Norman Hillman – Chief, Public Integrity Section.
229th Defendant: Lisa Frank, Supervisory Litigation Support Specialist, Public Integrity Section

APPENDIX 2

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Filed on May 19, 2006

MEMORANDUM*

ANTHONY P. KEYTER,
No. 05-35717
Plaintiff – Appellant

v.

D.C. No. CV-04-05867-CCL

GARY LOCKE; et al.,
Defendants – Appellees

Appeal from the United States District Court for the Western District of Washington. Charles C. Lovell, District Judge, Presiding**.

Submitted May 15, 2006***

Before: B. FLETCHER, TROTT, and CALLAHAN, Circuit Judges.

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* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R.36-3.

** The Honorable Charles C. Lovell, Senior United States District Judge for the District of Montana, sitting y designation.

*** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P.34(a)(2).

Anthony P. Keyter appeals pro se from the district court's judgment dismissing his action against 230 defendants, including officials of the City of Tacoma and the United States, alleging that they failed to prosecute his ex-wife, her lawyer, and the judge involved in his state court dissolution proceeding. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal for lack of subject matter jurisdiction. *Rivera v. United States,* 924 F.2d 948, 950 (9th Cir. 1991). We affirm

In this action, Keyter alleges that defendants failed to stop his ex-wife, her lawyer, and the state court judge from stealing his assets. The district court properly dismissed Keyter's action for lack of subject matter jurisdiction because Keyter's conclusory claims of criminal acts committed during the dissolution of his marriage rest on no provision of the Constitution, the laws, or treaties of the United States. *See* 28 U.S.C. § 1331.; *Republican Party of Guam v. Gutierrez* 277 F.3d 1086, 1088-89 (9th Cir. 2002).

The district court did not abuse its discretion by denying Keyter's motion to disqualify the presiding judge in his case because Keyter failed to file an affidavit in support of his motion, *see* 28 U.S.C. § 144, and Keyter's motion made no allegations of prejudice other than simple conclusions and opinions, *see United States v. 292,888.04 in U.S. Currency,* 54 F.3d 564, 566 (9th Cir. 1995); *United States v. Studley,* 783 F.2d 934, 939 (9th Cir. 1986). Likewise, Keyter's contention that the district judge committed fraud is unsupported by the record.

The district court did not abuse its discretion by prohibiting Keyter from filing future claims arising from the subject matter of this case against any of the named defendants or proposed additional 51 defendants because the court made substantive findings of frivolousness, and the order was

narrowly tailored to curb the abuses of this particular litigant. *See de long v. Hennessey,* 912 F.2d 1144, 1147-48 (9th Cir. 1990).

Keyter's remaining contention lack's merit.

Keyter's urgent motion for preliminary injunction is denied.

AFFIRMED.

APPENDIX 3

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

JUDGMENT IN A CIVIL CASE

ANTHONY P. KEYTER
v.
230 GOVERNMENT OFFICERS CASE NUMBER:
04-5867(RJB)CCL

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

Plaintiff's Motion to Disqualify Judge is DENIED, and all motions to dismiss are GRANTED. The Complaint is DISMISSED with prejudice for failure to state a claim and for lack of subject matter jurisdiction, and all relief is denied to Plaintiff. Plaintiff's Notice of Joinder of Government Officers is STRICKEN.

IT IS FURTHER ORDERED that Plaintiff Anthony P. Keyter is prohibited from filing in this Court against any of the 230 named Defendants or the 51 proposed additional defendants any further claim arising from the subject matter of this case. Any future filing that violates this prohibition

will be subject to summary dismissal by the court and may subject Keyter to a citation for contempt of court.

May 20, 2005 BRUCE RIFKIN
Clerk
/s/ Dara L. Kaleel
By Dara L. Kaleel, Deputy Clerk
Case 3:04-cv-05867-CCL Document 57 Filed 05/20/2005
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ORDER

****

ANTHONY P. KEYTER, C04-5867(RJB)CCL
Plaintiff,

-v-

230 GOVERNMENT OFFICERS,
Defendants.

****

Before the Court in the above-captioned civil matter are four motions to dismiss filed by defense counsel, as joined by the Federal Defendants by stipulation of the parties, on behalf of 230 government officers. Also before the Court is Plaintiff's May 3, 2005, motion to disqualify the undersigned on the ground that I am "now a party to the case." The Court, having considered the briefs of the parties, the entire record, and the applicable law, is prepared to rule on all pending motions.

PRIOR STATE & FEDERAL COURT LITIGATION

Plaintiff Anthony P. Keyter ("Keyter") presents himself to this Court as a disgruntled litigant. He has already lost two state court cases and one federal court case (at both the district court and appellate court levels) arising out of the same basic transaction, which was a marital dissolution action. In the instant case, Keyter's second federal lawsuit, Keyter makes his third attempt to recover property lost through his first state court case. The marital dissolution action was filed in state court in the State of Washington by Maureen Keyter. The presiding judge in state court was

Defendant Marywave Van Deren, who conducted a non-jury trial and announced her decision on December 12, 2001. Keyter was represented at trial by counsel. Judge Van Deren entered and filed Judgment and Decree of Dissolution on January 4, 2002. A Notice of Appeal was filed on August 13, 2002. Keyter tried to appeal the Superior Court's Judgment and Decree of Dissolution to the Court of Appeals of the State of Washington, Division II, which granted a motion to dismiss the appeal on September 17, 2002. Keyter might have requested reconsideration by the Court of Appeals or sought review by the Washington Supreme Court, but he did neither. Instead, Keyter returned to Judge Van Deren and filed a Motion for Relief from Judgment on January 29, 2003. It is unclear from the record whether that motion was denied, but the docket sheet in the case indicates numerous filings by Keyter following the issuance of the mandate by the Court of Appeals. Keyter sent numerous letters and affidavits to the district court and filed a Motion for Default on November 29, 2004. It appears that activity continues (by virtue of Keyter's continued filings) in that case, although it appears that Judge Lee is now presiding over the case. Not content to seek relief solely within the state court system in the State of Washington, on December 3, 2003, Keyter filed a complaint in the U.S. District Court for the District of Columbia against President George W. Bush, complaining of President Bush's reckless disregard of his statutory duties and violation of Section 3 of Article II of the United States Constitution; violation of 18 U.S.C. § 241; violation of 18 U.S.C. § 242; violation of 18 U.S.C. § 4; and for reckless disregard of his Common Law duties." *See Keyter v. Bush*, CV 03- 2496 (EGS), Opinion and Order at 1, (Dist. Of Col. Aug. 6, 2004)(*quoting* Compl. at 1).

Keyter also complained that President Bush failed to respond either to Keyter's reports of collusion in the Washington state court system to illegally seize Keyter's assets and income or

to his requests that the crimes of 195 officers of Washington State, and 2 others (*i.e.*, his ex-wife and her attorney), be investigated and prosecuted. Keyter alleged that he had sent President Bush a 970 page Dossier of Crimes that informed President Bush of the crimes occurring within the State of Washington and demanded that the President see to it that these crimes were prosecuted. Keyter also sought in that suit to disqualify the U.S. Attorney on the ground of conflict of interest. The Hon. Emmett G. Sullivan dismissed Keyter's complaint pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief could be granted because (1) there is no private right of action on the criminal statutes (*e.g.*, 18 U.S.C. § 241, 18 U.S.C. § 242, and 18 U.S.C. § 4); (2) absolute immunity protects the President from civil damages actions; and (3) sovereign immunity protects the President acting in his official capacity from civil damages actions. The district court found Keyter's argument that the U.S. Attorney should be disqualified because of an alleged conflict of interest (between the Attorney General's duty to prosecute the President and his duty to defend the President) was "utterly without merit." *Id.* at 7. On September 22, 2004, Keyter appealed Judge Sullivan's decision to the Court of Appeals for the District of Columbia Circuit. On February 16, 2005, granting the defendant's motion for summary affirmance, the D.C. Circuit panel issued a *per curiam* decision stating that the case had been properly dismissed by the district court on the ground of President Bush's absolute immunity. *See Keyter v. Bush*, 2005 WL 375623, at 1 (D.C. Cir. Feb. 16, 2005) (*citing Harlow v. Fitzgerald*, 457 U.S. 800, 807 (1982), and *Nixon v. Fitzgerald*, 457 U.S. 731 (1972)). The panel stated further that there is no private right of action available as to the criminal code. *Id.* (*citing Rockefeller v. U.S. Court of Appeals for the Tenth Circuit*, 248 F. Supp. 2d 17, 20 (D. D.C. 2003). Approximately three months after Judge Sullivan dismissed the federal case, Keyter decided to go back into state court; Keyter filed a civil

action, on November 29, 2004 (the same day Keyter filed a Motion for Default in his dissolution case), against his ex-wife, in Pierce County Superior Court (No. 04-2-13977-1), seeking "damages suffered due to her criminal acts of burglary, perjury, fraud, and theft, which she perpetrated against [Keyter] during the proceedings for the dissolution of their marriage." That suit was dismissed on December 17, 2004, and Superior Court Judge Armijo imposed $750 in costs against Keyter. Meanwhile, on December 2, 2004, Keyter filed the instant Complaint in federal district court in the Western District of Washington. Keyter now names 230 state and federal government officials, including the Governor of the State of Washington and several cabinet members, the Chief Justice of the appellate court, the Washington Deputy Attorney General, the judge who decided Keyter's marriage dissolution action, a Pierce County Superior Court Judge, all of the members of the Washington State Committee on Judicial Conduct (including five state judges), all the Washington State Senators and State Representatives, both of the State Ethics Boards (Executive and Legislative), all of the elected government officials of Pierce County and the City of Tacoma, the top State Patrol officers, the top officers in the local sheriff's department and police departments, the Pierce County Prosecutors and the U.S. Department of Justice prosecutors in Seattle and in Washington, D.C., and the top Federal Bureau of Investigation officers in Seattle. The gravaman of Keyter's complaint is that these 230 government officers have violated their obligation to stop a continuing series of crimes, to wit: crimes committed against Keyter by his ex-wife, her attorney, and by the presiding judge in his marriage dissolution action. As damages, Keyter wants the assets and income that he lost in the property division of the marital estate. This is essentially the same action Keyter filed against President Bush, with a different roster of defendants. On January 5, 2005, after filing the instant complaint on

December 20, 2004, Keyter sent an *ex parte* letter to Judge Robert Bryan, then presiding herein, requesting that he stop the continuing criminal actions of the 230 Defendants in this case. The next day, on January 6, 2005, Keyter filed an *ex parte* Motion for Temporary Restraining Order, requesting that Judge Bryan restrain Keyter's ex-wife from leaving the country for the reason that she would be a necessary witness in the case. On January 7, 2005, Judge Bryan responded to Keyter's request in the Complaint for a three-judge panel from outside of the State of Washington by referring the entire case to Chief Judge Richard Lasnik for reassignment. On March 7, 2005, Keyter filed a Motion to Disqualify Judge R.J. Bryan for his failure to address and correct the alleged ongoing crimes of the Defendants against Keyter. On March 8, 2005, Chief Judge Lasnik received a letter from Keyter urging Judge Lasnik to address and correct the alleged ongoing crimes of the Defendants against Keyter and also seeking reassignment of the case to a three-judge panel from outside of the State of Washington, as originally requested in the Complaint. Meanwhile, Chief Judge Lasnik had sought the assistance of the Chief Judge of the Ninth Circuit in obtaining a judge to preside over the case from outside of the State of Washington. On March 7, 2005, Chief Judge of the Ninth Circuit Mary Schroeder designated Charles C. Lovell, the undersigned Senior United States District Judge from the District of Montana, to perform the duties of United States District Judge temporarily for the Western District of Washington for the specific case *Anthony P. Keyter v. Gary Locke, et al.*, Case No. C04-5867. On March 10, 2005, by Minute Order, the Clerk of Court entered an order reassigning the *Keyter v. Locke, et al*, case to me. On March 21, 2005, Keyter sent five letters, one to each defense counsel, exhorting each of the defendants to investigate and prosecute the crimes allegedly committed against Keyter by his ex-wife, her attorney, and the court system defendants. On March 22, 2005, I issued an order setting the case for a

status conference before me, sitting in the United States Courthouse for the Western District of Washington, Tacoma Division, on April 15, 2005. During that hearing, I outlined the parties' respective obligations and responsibilities, and I instructed Keyter not to send any more prohibited *ex parte* communications to the Court. Keyter questioned the Court's authority in this regard, and he seemed to assert that he was entitled to send private communications to me that would have the effect of requiring me to have arrested any individual that Keyter thought was committing criminal offenses (particularly, of course, crimes against Keyter). I also suggested that Keyter secure counsel. On May 3, 2005, Keyter filed a "Motion to Disqualify U.S. District Court Judge C.C. Lovell" because I am "now a party to the case," and for acute prejudice against Plaintiff, sanctioning ongoing crimes against Plaintiff, and failure to perform peremptory judicial functions under the criminal code. On the same day, May 3, 2005, Keyter filed a Notice of Joinder of Government Officers, wherein Keyter purports to add 51 defendants to the case pursuant to Fed. R. Civ. P. 19(a), including the undersigned Judge Lovell, Judge Bryan, and Chief Judge Lasnik, and all of the Justices of the Supreme Court of the State of Washington. The reason given by Keyter for the Notice of Joinder is that each of the additional defendants has joined the conspiracy to commit crimes against Keyter and obstruct justice and otherwise cause harm against Keyter. A copy of this Notice is attached hereto, marked Exhibit A, and by reference incorporated herein.

MOTION TO DISQUALIFY & NOTICE OF JOINDER OF GOVERNMENT OFFICERS

Keyter brings his "Motion to Disqualify U.S. District Court Judge C.C. Lovell" pursuant to 28 U.S.C. § 455. Keyter bases the motion upon (1) an alleged showing by the undersigned district judge of prejudice against Plaintiff and

partiality in favor of Defendants, (2) an alleged protection of Defendants by the undersigned district judge for felonies they have committed against Keyter, constituting a sanctioning of their crimes and obstruction of justice, and (3) failure by the undersigned to perform peremptory judicial functions under 18 U.S.C. § 4 (Misprision of felony), 18 U.S.C. § 1505 (Obstruction of proceedings before departments, agencies, and committees), 18 U.S.C. § 3041 (Power of courts and magistrates), 28 U.S.C. § 535(b)(1) (Investigations of crimes involving Government officers and employees; limitations), and Rule 4 of Criminal Procedure (Arrest Warrant or Summons on a Complaint). The first alleged basis of disqualification–prejudice against Plaintiff and favoritism towards Defendants–is actually specifically addressed by 28 U.S.C. § 144, which provides that [w]henever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hearing such proceeding. The affidavit shall state the facts and the reasons for the belief that bias or prejudice exists, and shall be filed no less than ten days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. A party may file only one such affidavit in any case. It shall be accompanied by a certificate of counsel of record stating that it is made in good faith. 28 U.S.C. § 144 (2001 & Cum. Supp. April 2004). Such a motion to disqualify is properly denied when no sufficient affidavit has been filed by a party stating facts showing bias against the moving party as required by section 144. *See Davis v. Fendler*, 650 F.2d 1154, 1163 (9th Cir. 1980). Not only has Plaintiff failed to file a sufficient affidavit in support of the motion to disqualify, Plaintiff has failed to file any affidavit at all. The motion to disqualify makes no allegations of prejudice other than simple

conclusions or opinions. These are insufficient because only facts that are sufficiently definite and particular to convince a reasonable person that bias exists will support a section 144 allegation. *See United States v. 292,888.04 in U.S. Currency*, 54 F.3d 564, 567 (9th Cir. 1995); *see also, United States v. Sykes*, 7 F.3d 1331, 1339 (7th Cir. 1993).

Furthermore, I must review these allegations because the judge whose prejudice or bias is in issue is charged with the duty to pass on the sufficiency of the affidavit. United States v. Azhocar, 581 F.2d 735, 738 (9th Cir. 1978), cert. denied, 440 U.S. 907 (1979). I find no sufficient affidavit in support of Plaintiff's allegation of bias or prejudice, and Plaintiff has failed his obligation to state particular facts that would convince a reasonable person that bias exists. Keyter's second two bases for disqualification under 28 U.S.C. § 455 (*i.e.*, sanctioning crimes, and obstructing justice and failing to perform legal obligations under criminal statutes), fall within the ambit of 28 U.S.C. § 455, which provides that [a]ny justice, judge, or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. 28 U.S.C. § 455(a) (2001 & Cum. Supp. April 2004). The standard for recusal is "whether a reasonable person with knowledge of all the facts would conclude that the judge's impartiality might reasonably be questioned." *United States v. Studley*, 783 F.2d 934, 939 (th Cir. 1986) (quotation omitted). Except in unusual cases, the alleged bias must stem from an "extrajudicial source." *Liteky v. United States*, 510 U.S. 540, 554-56 (1994). "Judicial rulings alone almost never constitute valid basis for a bias or partiality motion." *Id.* "[O]pinions formed by the judge on the basis of facts introduced or events occurring in the course of the current proceedings, or of prior proceedings, do not constitute a basis for a bias or partiality motion unless they display a deep-seated favoritism or antagonism that would make fair judgment impossible." I have reviewed my prior

order dated March 22, 2005, setting the status conference, and I have also reviewed the transcript of proceedings of the status conference on April 15, 2005. I find no evidence of "deep-seated favoritism or antagonism." Statements I may have made concerning the rules of procedure applicable to *pro se* litigants and the law as it applies to Keyter's Complaint cannot reasonably be used to question my impartiality in this case. *See Liteky v. United States*, 510 U.S. at 554 (holding that extrajudicial source doctrine applies to 28 U.S.C. § 455 such that opinions formed by a judge during his consideration of a case cannot constitute a basis for a bias or partiality motion). Nor may a party create a basis for recusal simply by naming a federal judge as a defendant. *See United States v. Studley*, 783 F.2d 934, 940 (9th Cir. 1986) ("A judge is not disqualified by a litigant's suit or threatened suit against him."). Accordingly, I find that Keyter's Motion to Disqualify U.S. District Court Judge C.C. Lovell is without merit.

NOTICE OF JOINDER

The Notice of Joinder of Government Officers filed by Keyter on May 3, 2005, seeks to add 51 government officers, including the undersigned senior district judge, pursuant to Rule 19(a), Fed. R. Civ. P. Rule 19 provides for compulsory joinder of parties by a court, and therefore it is not the applicable rule of civil procedure for the result sought by Keyter. It is simply not possible to add defendants to the case by filing a "Notice of Joinder." Rule 15, Fed. R. Civ. P., governs Keyter's right to add defendants to the case. Whether framed as a Rule 19 compulsory joinder or even treated as a Rule 15 motion to amend, however, the relief is dependent on court action. This Court would be inclined to convert the Notice of Joinder to a Motion to Amend Complaint were it not for the fact that Keyter is now attempting to add as new defendants those judicial officers who have previously denied

him relief; such a litigation tactic is an abuse of the litigation process, and it is not a valid basis for an amendment of the complaint. Here such motion to amend the complaint would be denied for futility, as becomes evident below.

MOTIONS TO DISMISS

There are numerous jurisdictional problems posed by Keyter's Complaint. First, the statutory provisions cited by the Complaint are federal criminal statutes. As Judge Sullivan correctly stated in his decision on August 6, 2004, private citizens are not permitted to enforce criminal statutes or prosecute crime. *See Keyter v. Bush*, No. 03-2496, *slip op.* at 6-7 (D.D.C. Aug. 6, 2004) (*citing Rockefeller v. U.S. Court of Appeals Office for Tenth Circuit,* 248 F. Supp. 2d 17, 22 (D.D.C. 2003) ("the plaintiff is precluded from asserting any claims pursuant to 18 U.S.C. § 242 . . . because, as criminal statutes, they do not convey a private right of action."); *see also* 28 U.S.C. § 547(1) (stating that the United States Attorney "shall prosecute . . . all offenses against the United States. . . ."). Thus properly informed of the law, Keyter nevertheless disregarded Judge Sullivan's legal instruction and filed the instant Complaint, relying once again on the same criminal statutes that were found to be unavailable and that failed to state a claim upon which relief could be granted against President Bush in Keyter's prior federal case. Keyter persists in his unreasonable belief that he has the right to sue any individual whom Keyter believes has violated a federal criminal statute. Not only is there no private right of action in the criminal law, the very subject matter of Keyter's Complaint is very doubtful: it has long been settled that, as courts of limited jurisdiction, federal courts do not have jurisdiction over domestic relations cases (*e.g.,* divorce, custody of minors, visitation, *etc.*). *See* In re Burrus, *136 U.S. 580, 593-94 (1890); Csibi v. Fustos*, 670 F.2d 134, 136-37 (9th Cir. 1982); *Tree Top v. Smith*, 577 F.2d 519, 521 (9th

Cir. 1978). As stated by the U.S. Supreme Court in 1890, "[t]he whole subject of the domestic relations of husband and wife, parent and child, belongs to the laws of the states, and not to the laws of the United States." *Burrus*, 136 U.S. at 593-94. A case primarily involving domestic relations is simply not a case over which a federal court ought to take jurisdiction, and the only way that this Court could possibly decide whether or not Keyter's share of the marital estate was unfairly, illegally, or criminally taken from him would be for this Court to re-adjudicate the merits of the property settlement in the dissolution of his marriage. To do so would violate the fundamental jurisdictional rule that domestic relations issues and cases are reserved to the jurisdiction of the states. Here then, we have a case that rests on no provision of the Constitution, laws, or treaties of the United States and that introduces a subject matter over which a federal court ought not take jurisdiction. There is yet another jurisdictional impediment in this case, and this is the one that brings the jurisdictional edifice tumbling down. The *Rooker-Feldman* doctrine is a legal concept that excludes from federal subject matter jurisdiction those cases that seek to obtain federal district court review over state court decisions. *See District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 416 (1923). Here, Keyter seeks to obtain a federal district court review of the property division in his state court marital dissolution case. Such review would violate the *Rooker-Feldman* doctrine because, for example, I could not possibly determine whether certain of the Defendants (Judge Van Deren, for example) participated in a conspiracy to deprive Keyter of his fair portion of the marital estate without first determining whether the marital estate was properly divided in the first instance. The state court issues are inextricably intertwined with the claims that Keyter desires to advance in federal court. I recognize that Keyter does not explicitly seek review of the state court decision *eo nominee*.

He is content to simply assert that the property division was wrong, unfair, immoral, in violation of his rights, and illegal and that I should start arresting his enemies accordingly. However, I am not in a position to take him at his word without hearing and without evidence, and were I to accept this case for adjudication on the merits, I would have to review all the evidence that was submitted at trial in the marital dissolution action to determine whether the property division was incorrect. This I cannot do because I lack jurisdiction over the matter. As already pointed out to Keyter in August 2004, 28 U.S.C. § 547(a) provides that the United States Attorney shall prosecute all offenses against the United States–not against Anthony P. Keyter. Neither does Keyter have any right to *demand* that the sovereign prosecute *anyone* criminally. *See Gini v. Las Vegas Metro. Police Dept.*, 40 F.3d 1041, 1045 (9th Cir. 1994); *Gomez v. Whitney*, 757 F.2d 1005, 1006 (9th Cir. 1985). *See also, DeShaney v. Winnebago County Department of Social Services*, 489 U.S. 189, 196 (1989) (no affirmative right to governmental aid under the Due Process Clause). Therefore, because there is no valid federal law from which Keyter's Complaint can derive its jurisdiction, because the subject matter is inappropriate for a federal district court, and because a state court litigant is not entitled to obtain federal district court review of a state court's decision, I find that the Complaint fails to state a claim and that I lack subject matter jurisdiction over Keyter's Complaint. As counsel for the Defendants argue, many of them, perhaps all of them, are entitled to some form of immunity that shields them from this suit. Judge Marywave Van Deren, for example, is absolutely immune from this prosecution. *See Pierson v. Ray*, 386 U.S. 547, 553-54 (1967). Likewise, prosecutors Horne, Adams, and Costello are absolutely immune from prosecution. *See Imbler v. Pachtman*, 424 U.S. 409, 430-31 (1976). However, I do not believe it necessary or appropriate to methodically work through a list of 230 government officials to categorize

precisely each defendant's potential immunity from prosecution in a failed cause over which I have no subject matter jurisdiction. There is no need to reach the claims against the individual Defendants in this fashion.

CONCLUSION

After carefully considering the Complaint and the briefs of the parties, it is reasonably clear to me that the allegations of the Complaint are defective, that the Defendants all possess some form of immunity from suit, and that this Court lacks subject matter jurisdiction to entertain Plaintiff's Complaint. Recognizing the distinction between a defective claim and a defective statement of a good claim, the Court finds that this is the former. As such it cannot be aided or cured by amendment or further pleading. All motions to dismiss shall be granted and the Complaint dismissed with prejudice. I also find that this Complaint is frivolous and its prosecution by Keyter is an abuse of our court system and the Defendants herein named and sought to be named. As such, Plaintiff should be ordered to file no further claims in this court against these Defendants or any of them on any claims included in this case. Plaintiff's claim, reduced to its bare bones, as stated by him, is that he walked into a trial in state court with considerable property and a comfortable income stream but came out the other side without the property and with reduced income. Whether he has a remedy or not, that remedy does not lie in this Court in this case against these Defendants. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Disqualify Judge is DENIED.

IT IS FURTHER ORDERED that all motions to dismiss are GRANTED. The Complaint is DISMISSED with prejudice for failure to state a claim and for lack of subject matter jurisdiction, and all relief is denied to Plaintiff.

IT IS FURTHER ORDERED that Plaintiff's Notice of Joinder of Government Officers is STRICKEN.

IT IS FURTHER ORDERED that Plaintiff Anthony P. Keyter is prohibited from filing in this Court against any of the 230 named Defendants or the 51 proposed additional defendants any further claim arising from the subject matter of this case. Any future filing that violates this prohibition will be subject to summary dismissal by the court and may subject Keyter to a citation for contempt of court.

Let judgment enter.

The Clerk is directed forthwith to notify the parties of entry of this order.

Done and dated this 20th day of May, 2005.

/s/CHARLES C. LOVELL_____

CHARLES C. LOVELL

Senior United States District Judge

APPENDIX 4

ADDENDUM OF STATUTES AND AUTHORITIES

US Constitution - Amendment XIV, Section 1: "... nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws".

18 USC 3 – Accessory after the fact
States in relevant part: "whoever, knowing that an offense against the United States has been committed" "assists the offender in order to hinder or prevent his apprehension, trial, or punishment, is an accessory after the fact".

18 USC 4 - Misprision of felony
Misprision of felony states that: "Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States" is guilty of 'Misprision of Felony'.

18 USC 371 – Conspiracy to commit offence
States in relevant part: "If two or more persons conspire either to commit any offense against the United States" "and one or more such persons do any act to effect the object of the conspiracy" each is guilty of Conspiracy to Commit Offense.

18 USC 1505 – Obstruction of Proceedings
States in relevant part: "Whoever corruptly" "influences, obstructs, or impedes" "the due and proper administration of the law under which any pending proceeding is being had

before any department or agency of the United States" is guilty of Obstruction of Justice.

18 USC 1506 - Alteration of record or process

Whoever feloniously .... alters, falsifies.... any record, writ, process, or other proceeding, in any court of the United States, whereby any judgment is reversed, made void, or does not take effect; .... shall be fined under this title or imprisoned not more than five years, or both.

18 USC 1621 - Perjury

Whoever-- (1) having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or (2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 46 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

18 USC 3041 – Power of Courts and Magistrates

States in relevant part: "for any offense against the United States, the offender may, by any justice or judge of the United States ... be arrested and imprisoned".

28 USC 144 – Bias or Prejudice of Judge

"Whenever a party to a proceeding in a court makes and files a timely and sufficient affidavit that the judge before whom

the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding."

28 USC 455 – Disqualification of Judges

"(a) Any justice, judge, or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned."

28 USC 535 (b) – Investigation of Crimes Involving Government Officers

States: "Any information, allegation, or complaint received in a department or agency of the executive branch of the government relating to violations of title 18 involving Government Officers and employees shall be expeditiously reported to the Attorney General by the head of the department or agency, unless (1) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by another provision of the law;"

28 USC 1254

"Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods: (1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree; (2) By certification at any time by a court of appeals of any question of law in any civil or criminal case as to which instructions are desired, and upon such certification the Supreme Court may give binding.

Federal Rules of Criminal Procedure, Rule 4

Rule 4 (a) states: "If the complaint or one or more affidavits filed with the complaint establishes probable cause to believe an offense has been committed and that the defendant committed it, the judge must issue an arrest warrant to an

officer authorized to execute it. Rule 4 (c) states: Such warrant must "command that the defendant be arrested and brought without unnecessary delay before a judge".

Federal Rules of Civil Procedure, Rule 11

By presenting to the court (whether by signing, filing, submitting, or later advocating) a pleading, written motion, or other paper, an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, -- (1) it is not being presented for any improper purpose,.....

Supreme Court Rule 10

In relevant part: "A United States Court of Appeals ...has so far departed from the accepted and usual course of judicial proceedings, or has sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;"

APPENDIX 5

PERJURY BY NINTH CIRCUIT JUDGES

In their 'Memorandum' in Case No. 05-35717, Ninth Circuit Court of Appeals Judges Fletcher, Trott, and Callahan, make several perjurous statements which are addressed below. These statements each violate 18 USC 1621.

Perjurous Statement 1
"In this action, Keyter alleges that defendants failed to stop his ex-wife, her lawyer, and the state court judge from stealing his assets." (Appendix 2, App. 12).
Comment: Nowhere does the Appellant allege that.

Perjurous Statement 2
"The district court properly dismissed Keyter's action for lack of subject matter jurisdiction because Keyter's conclusory claims of criminal acts committed during the dissolution of his marriage rest on no provision of the Constitution, the laws, or treaties of the United States." (Appendix 2, App. 12).
Comment: False Statement by the Appeal Judges, quoting a false statement by the District Court judge. The district court did not 'properly' dismiss the case. It dismissed the case fraudulently. The contention that the action lacked subject matter jurisdiction is based upon 28 perjurous statements by the district court judge. The district court judge contended that the case is a *domestic relations* issue, which in fact, it is not. The Appeals court judges were fully aware of this when they made this false statement. *See* Appendix 6, App47-48. Furthermore, the criminal acts committed by 230 government officers which breach the common law rights of the Petitioner, were committed *after* the divorce, and are

prohibited by the laws of the United States and Washington State. *See* the criminal dossiers filed with the court, Docket15

Perjurous Statement 3

"The district court did not abuse its discretion by denying Keyter's motion to disqualify the presiding judge in his case because Keyter failed to file an affidavit in support of his motion, see 28 U.S.C. § 144," (Appendix 2, App. 12)

Comment: Misleading and false statement by the judges. An 'affidavit' *was* filed by the Appellant, in the form of the pro se motion. A motion signed by a pro se litigant is equivalent to an affidavit, certifying to court that the information presented is truthful and factual. *See* Rule 11, Federal Rules of Civil Procedure.

Perjurous Statement 4

"...and Keyter's motion made no allegations of prejudice other than simple conclusions and opinions, ..." (Appendix 2, App. 12)

Comment: The motion to disqualify Judge Lovell contained a strong argument of prejudice and of cause to believe that an impartial judgment was not possible. *See* Docket 53.

Perjurous Statement 5

"Likewise, Keyter's contention that the district judge committed fraud is unsupported by the record." (Appendix 2, App. 12).

Comment: This is a perjurous statement. The following documents in the record substantiates the fraud: a) Motion for stay of judgment b) The criminal dossiers, Docket 15, c) Appellant's briefs in opposition, Docket's 33, 34, 41, 42. d) Motion to disqualify judge, Docket 53.

Perjurous Statement 6

"The district court did not abuse its discretion by prohibiting Keyter from filing future claims arising from the subject

matter of this case against any of the named defendants or proposed additional 51 defendants." (Appendix 2, App.12).
Comment: False statement. The court did abuse its discretion. The court was attempting to prohibit Keyter from filing further criminal charges. The context of the transcript of the status conference on April 15, 2005, clearly indicates this. *See* Docket 55, Court transcript of status conference, pages 14-17.

Perjurous Statement 7
"...because the court made substantive findings of frivolousness..." (Appendix 2, App. 12).
Comment: The court made *perjurous* statements of 'frivolousness'. The Appeals Court Judges knew this. See Appendix 6, App. 49.

Perjurous Statement 8
"Keyter's remaining contentions lack's merit." (Appendix 2, App.13).
Comment: False statement. In truth and in fact, the Appeal Brief does not lack merit. *See* Argument in Appendix 6, App. 47-64.

APPENDIX 6

APPEAL BRIEF

No. 05-35717

IN THE UNITED STATES COURT OF APPEALS

FOR THE 9th CIRCUIT

In Re:

ANTHONY P. KEYTER

Plaintiff/Appellant (Pro Se)

Vs

230 GOVERNMENT OFFICERS

Defendants/Appellee s

IN APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WESTERN WASHINGTON

APPEAL BRIEF

PARTIES

Name of Appellant: Anthony P. Keyter (Pro Se)
Address: 6200 Soundview Dr., R201, Gig Harbor, WA. 98335
Telephone: (253) 853 3859 Fax: (253) 851 1108
Names of Appellees and their Attorneys - Addendum 1

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I. JURISDICTION

The United States Court of Appeals for the 9th Circuit has proper jurisdiction in an appeal from the United States District Court for the District of Western Washington, pursuant to 28 USC 1291.

The United States District Court for the Western District of Washington has original jurisdiction over plaintiff's federal claim under 28 USC § 1331, and supplemental jurisdiction in this case under 28 USC § 1367. Venue properly lay in that Court pursuant to 28 USC § 1391.

The case was filed in the District Court on December 20, 2004. An order was made in the District Court on May 20, 2005 to dismiss the case. Timely Notice of Appeal was filed on July 14, 2005, in terms of FRAP Rule 4.

Request for External Appellate Judges

There are amongst the Appellees and the Joinders, 47 judges from Washington State, including the Chief Justice. Also included amongst the Appellees are the incumbent Governor, the previous Governor, the Attorney General, the Secretary of State, and other senior members of the Washington State Government. An impartial and fair hearing is not possible from Appeal Court judges from Washington State.

The Appellant accordingly requests the Court to convene judges from outside Washington State to preside over the Appeal in this case.

II. SUMMARY OF THE CASE

Plaintiff/Appellant brought a civil claim for damages against 230 Defendants/Appellees for violations of Appellant's rights, which violations caused Appellant harm, suffering and loss. The Plaintiff further requested the Court to issue an order compelling the Defendants/Appellees to obey the law and to execute their statutory duties, failing which, the Court was requested to deal with a large parcel of crimes documented in the court records. The case was

incorrectly, fraudulently and illegally dismissed by the District Court judge, who also willfully and illegally failed to attend to the crimes. Appellant seeks of the Court of Appeals for the 9th Circuit to overturn the judgment of the District Court and reinstate the case to trial, and to issue a Writ of Mandamus to compel the Defendants/Appellees to execute their statutory obligations.

III. STATEMENT OF FACTS RELATED TO THE ISSUES

There is a major criminal conspiracy afoot within the government of the United States and Washington State to obstruct the administration of the laws, defeat the course of justice, provide protection to criminals, and to deny a citizen of this country (Appellant) the right to protection of the laws. By January 1, 2005, one point six (1.6) million criminal offenses committed by officials had been documented which are associated with this conspiracy.

In all, at the time of filing, six hundred and fifty-six (656) individual requests were made to appropriate office-bearers of 28 pertinent institutions of government to see to the administration of the country's laws pertaining to this case. (Current figures are respectively. 920 requests and 32 institutions). Not one reacted. None of the crimes committed by officials and presented to the authorities, have been investigated or prosecuted. The spectacular failure of the government and justice system to administer the laws of this country when it involves delinquent officials of state amounts to a defeat of the ends of justice and a large-scale cover-up and protectionism by officials of their colleagues. A 1017-page "Dossier of Crimes", meticulously details this conspiracy. That dossier is part of the Court Record (Excerpt 9).

As a result of the conspiracy and the Appellees' wrongful and unlawful conduct, the Appellant has suffered harm and loss. Consequently the Plaintiff/Appellant brought

a civil claim for damages against 230 Defendants/Appellees for violations of Appellant's rights, and for violations of Appellees' common law, statutory and constitutional duties, which violations caused the Appellant's harm, suffering and loss (Excerpt 8).

Plaintiff/Appellant also requested the Court, as a further relief, to issue an order to compel the Defendants/Appellees to obey the law and to execute their respective statutory duties, which they are in breach of (Excerpt 8, p. 30). These duties obligated them to deal with the relevant crimes placed before each, and to have them investigated and prosecuted, or to initiate such action. As an alternate relief, the Plaintiff/Appellant requested the Court, in terms of Federal Law and Court Rules, to address the 1.6 million crimes which have neither been investigated nor prosecuted.

The Appellant filed a Motion to Disqualify the initial presiding judge, Judge O'Brien, for participating in the criminal conspiracy and in the cover-up of crimes, and for failing to address the crimes (Docket 27). The judge was removed from the case within four days.

The Appellant issued a Notice of Joinder in the case of a further 52 officials who have similarly violated the constitutional, statutory and common law rights of the Appellant, causing him harm, suffering and loss (Docket 52). The 52 officials are also co-conspirators to the 1.6million crimes committed by the 230 Appellees.

The Appellees submitted Motions to Dismiss the case (Dockets 10, 18, 20, 22, 23). The motions were illegally submitted and constituted criminal attempts to obstruct the course of justice. Certain Defense Counsels were acting under severe conflict of interest and ultra vires. The motions are patently fraudulent and perjurous documents, and each fraudulent and perjurous statement was pointed out to the Court (Dockets 33, 34, 41, 42). The criminal attempts by the Defendants and their Counsel to have the case dismissed

furthered the aims of the conspiracy and resulted in a further 1.5 million counts of conspiracy to commit offence. These crimes are documented in the Court Records (Dockets 33, 34, 41, 42).

The presiding judge in the case, Judge Charles C. Lovell, illegally and fraudulently granted the Appellees' motions and dismissed the case (Excerpt 5). As the facts of the case do not support a premise for dismissal, the honourable judge reconstructed the 'facts' to provide a cloak of legal respectability for the judgment. (From the Appellant's experience, it appears that this is a commonly used ploy in the hands of judges). To obscure the facts and conceal his fraud, the judge committed 47 fraudulent misrepresentations - in its own, each an act of perjury (Addendum 3). Judge Lovell also consciously ignored certain facts and ignored fundamental elements of the case. He ignored the request to the Court to issue a Writ of Mandamus to compel the initial 230 delinquent officers of government, who are in breach of the law, to obey the law. He tampered with court evidence (Addendum 4, p. 12). The judge illegally threatened a witness – the Appellant (Addendum 4, p. 11). The judge sanctioned the acts of the Defendants who submitted the Motions to Dismiss illegally.

It is clear that Judge Lovell illegally contrived the judgment to reach a predetermined, but extra-judicial, objective - that is, to protect 282 malfeasant government officers who have, amongst them, committed millions of crimes - and to cover up these crimes in order to avoid acute embarrassment to the Washington State and the Federal Governments. The judgment is simply a masterpiece of deceit and a profound and incisive attempt to obstruct the course of justice. Criminal charges against the judge have been filed in the Court of Appeals for action by the Court (Addendum 4).

Furthermore, the District Court has a statutory duty in terms of 18 USC § 4 and other statutes to address the

crimes of the Appellees presented to the Court: that is, the crimes presented in the dossier (Excerpt 9), and the crimes committed during the conduct of the case (Dockets 33, 34, 41, 42). The Court also has a peremptory judicial duty pursuant to Rule 4 of Federal Rules of Criminal Procedure to arrest the offenders. Despite being in possession of a 1017 page dossier detailing and providing evidence of 1.6 million violations of law by the Appellees, and contrary to the dictates of his statutory and judicial duties, the judge willfully ignored these crimes and intentionally neglected to perform his own statutory obligations. The judge violated numerous criminal statutes of the United States (Addendum 4); he aids and abets known criminals; he furthers the aims of their conspiracy; and he provides the protective shield of the Court over known crimes and criminals. However, to protect criminals is a crime. To fail to identify them is a crime.

The judgment is illegal. The judgment is void. The Court of Appeals cannot sanction illegal acts. The Court of Appeals is therefore requested to overrule the illegal judgment of the District Court and remand the case for trial. As none of the crimes presented to the Court have to date been investigated or prosecuted, and as the cover up of 1.6 million crimes continues unabated with the active assistance of the District Court, the Court of Appeals is requested to deal with the staggering level of crimes committed by the Appellees, by their counsel, and by the judge.

IV. SUMMARY OF ARGUMENT / ISSUES PRESENTED

Lack of subject matter jurisdiction: Judge Lovell's finding, that the *Complaint is defective as it lacks subject matter jurisdiction*, is premised upon perjurous and fraudulent misrepresentations made by the judge in his judgment. The Complaint is not defective as the judge states, and if the *truth* be told, the Court legitimately holds subject matter jurisdiction over the case.

The judgment submitted by the district court is defective: Judge Lovell ignored the facts and major elements of the case. In his judgment he ignored the request for an order against the Appellees to obey the law and to execute their statutory duties. He also ignored the request to execute *his* statutory duties to deal with 1.6 million crimes committed by the Appellees and placed before the judge.

Frivolous Lawsuit: Judge Lovell ruled that the case constitutes a frivolous lawsuit. This conclusion by the judge is, however, just another perjurous and fraudulent misrepresentation. The subject matter of the suit is most serious and has validity in law.

The judgment is illegal and void: The judgment is void (or voidable) because it is illegal. The judgment is illegal because: (A) the judge was acting in contravention of the law when he rendered the judgment. (B) The judgment was rendered on Motions for Dismissal which were illegally formulated and submitted – the Court cannot sanction such crimes. (C) The judgment is contrived in corruption, perjury and fraud. (D) The judgment is a profound attempt to obstruct the course of justice.

Criminality by the judge: In his illegal efforts to protect the Appellees from criminal and civil liability for their malfeasant acts, the judge has committed so many crimes himself that impartial judgment by him is rendered impossible. His crimes, filed with the US District Court on April 28, 2005, also disqualified him from legal capacity to deliver the judgment (Docket 53). The judge breaches 20 statutes and commits 47 counts of perjury.

Lack of impartiality: The judge displayed extreme bias in favour of the Appellees by failing to deal with their crimes, by sanctioning their illegal acts including the submission of the Motions to Dismiss, and by committing numerous crimes himself in order to protect the Appellees.

Such bias violates 28 USC 144, 28 USC 455, and the judge's oath of office, 28 USC 453.

Abuse of the Court System: The judge ruled that the Appellant is abusing the Court system. However, the lodging of a civil claim for damages against 282 officials who have breached their common law obligations towards the Appellant (and their statutory obligations towards the State) thereby causing the Appellant harm, suffering and loss, does not amount to abuse of 'our court system' as the judge ruled. The Constitution provides every citizen the right of equal access to the law. The judge's statement is a perjurous act.

Hostility by the judge: The judge introduced unwarranted enmity into the case when he referred to the Defendants as if they are the Plaintiff's *"enemies"* (quote). Upfront, the Plaintiff corrects such a malevolent approach by the judge, lest his ungracious statement unjustly *colors the Plaintiff's argument* from the outset:

Know that amongst these defendants I have no enemy. I hold no animosity or vengeance within my heart towards the Defendants. I hold only love - as I hold for all. However, I do observe violations of the nation's laws and of Devine Law (God's higher laws for humanity), and these violations should be addressed, should be put right, for lest we condone, and by that condoning foster and encourage such immoral behavior - Godless behavior. It is this that I, in my modest manner, have set to correct acting pro se, for I have found no lawyer willing to take on this overwhelming deluge of corruption. But I do question in my mind: when shall arise one from the *'heart'* of this nation, enlightened and courageous, who will take on the prosecution of this staggering wave of crime; and when shall arise a political leader who has the vision to see that the legal system is deeply flawed and in need of a profound overhaul. When such one arises, I shall say my task is done.

V. ARGUMENT

1. SUBJECT MATTER JURISDICTION

The judge finds that the Complaint is defective as it lacks subject matter jurisdiction. The facts however do not support such a finding. Accordingly, the judge fraudulently manipulates and reconstructs the facts to support his finding.

The judge strenuously argues in his judgment that the case before the Court is a *domestic relations case* (Excerpt 5 p.16); that the Appellant is seeking "for this Court to re-adjust the merits of the property settlement in the dissolution of his marriage." (Excerpt 5 p.16). He states that: "Keyter wants the assets and income he lost in the property division of the marital esta.e." (Excerpt 5 p. 6). He furthei states that: "Here, Keyter seeks to obtain a federal district court review of the property dissolution in his state court marital dissolution case." (Excerpt 5 p.17) These statements (and many similar statements in the Judgment – See Addendum 3, p.46) are false and perjurous and made with the intent to deceive and to defraud. The perjurous statements are made with the clear intent to provide a false premise for dismissal of the case, as the learned judge then states that federal courts do not have jurisdiction over *domestic relations cases*, and that accordingly he does not possess *subject matter jurisdiction* in this case. Upon this false and fraudulent basis, the judge dismisses the case.

Of course the Appellant's case is *not* a domestic relations case, and the mere insistence by a corrupt judge does not make it so. Appellant brought a civil claim for damages against 230 Appellees (and seeks to join 52 others) for *their* violations of Appellant's rights, and for *their* violation of *their* common law, statutory and constitutional duties to the Appellant and to the state, which violations caused the Appellant harm, suffering and loss. In addition, an important cornerstone of the Appellant's case is the

request to Court to order the Appellees to obey the law and to execute their statutory duties; failing the issue of this order, the request is made to Court for the judge to execute his statutory duties and to deal with 1.6 million crimes committed by the Appellees and placed before the judge. The cause of action is clearly described in the Complaint (Excerpt 8, paragraphs VI, VII, VIII and X) and it does not correspond with that which the judge fraudulently purports.

The false description by the judge of the essence of the case and the enhancement of this false theme throughout the judgment, has the clear intent to: abuse the mechanism of the Court; to abuse the powers of a judge in order to defraud the Appellant; to deceive the institution of the Court and the public; and to use illegal and fraudulent means to protect 282 corrupt officers of government from both civil and criminal liability. Whilst the judgment in its entirety is an act of fraud, the individual perjurous and fraudulent misrepresentations made by the judge to support the judgment are dealt with in Addendum 3.

The Complaint therefore is not defective, and if the truth were told, the Court legitimately holds subject matter jurisdiction over the case. The Court of Appeals should overturn this judgment and deal with the fraud in court.

2. JUDGEMENT DEFECTIVE

The Complaint requests of the Court to issue an order to compel Defendants/Appellees to "execute his/her particular statutory duties with respect to the particular parcel of allegations of multiple crimes presented to him/her by the Plaintiff"

(Excerpt 8, § XIV. 6). The judgment totally ignores this request. The Complaint further states that "should the Court deny the Plaintiff an order to compel each Defendant to comply with and execute their statutory duties with respect to the allegations of multiple crimes presented to them by the Plaintiff, the *Court* is requested to deal with the allegations

submitted to Court in the "Dossier of Crimes", in terms of Rule 4 of Federal Rules of Criminal Procedure and the statute on Misprision of Felony (18 USC 4)." (Excerpt 8, § XIV. 6). The judgment also ignores this request, and fails whatsoever to deal with it in the judgment. The Appellant submits that this omission is not a benign act of neglect, but a conscious, willful and criminal effort to protect known criminals - the Appellees – and cover up their crimes.

The omission to consider as part of the case these important requests to Court, and the willful failure by the judge to deal with his statutory obligations regarding 1.6 million crimes, renders the judgment not only defective, but also illegal. (See Rule 4, Federal Rules of Criminal Procedure and 18 USC 4). The Court of Appeals should overturn this judgment for this illegality.

3. FRIVOLOUS LAWSUIT

In his conclusion, the judge states that the Complaint is "frivolous". (Excerpt 5, p.20). The Oxford English Dictionary defines frivolous as 'not having any serious purpose or value'. Other dictionaries describe the meaning as 'unimportant', 'trifling' and 'silly'.

The Appellant has Fourteenth Amendment Constitutional rights, as well as Common Law rights, just as any other citizen of the USA. These rights were violated by the Appellees which caused the Appellant harm, suffering and loss. Question: Can it be said that a civil claim for damages for this harm, suffering and loss caused to the Appellant as a result of violations by Appellees of Constitutional rights and their common law duties, constitutes a frivolous, unimportant or silly lawsuit? Answer: No.

A parcel of crimes was placed before each of the 230 Appellees and the 52 Joinders in this case, with the request to investigate or initiate investigations thereof. Each has a statutory obligation and the authority to deal with the

particular parcel of crimes presented to him/her. Each wilfully failed that obligation. Question: Can the request to Court to issue an order for 282 officers of state and federal government to obey the law and execute their statutory duties when they are in breach of those duties, constitute a frivolous lawsuit? (Excerpt 8, § XIV .6) Answer: No.

The Court is requested to deal with the allegation of 1.6 million crimes "submitted to Court in the Dossier of Crimes, in terms of Rule 4 of Federal Rules of Criminal Procedure and the statute on Misprision of Felony (18 USC 4)." Question: Can this serious aspect of the Complaint possibly be termed frivolous? Answer: No

The dismissal of Appellant's case on the grounds that the Complaint is frivolous must be seen in the wider context of Judge Lovell's fraud. Appellant submits that he falsely and perjurously presents this argument to the Court and to the public solely in order to provide substance to the fraudulent judgment. The Court of Appeals must reject the judgment and deal with this fraud committed by Judge Lovell.

4. THE JUDGMENT IS ILLEGAL

4.1 Failure to recuse :

The judgment was rendered by a judge who was acting in contravention of the law by failing to recuse himself after charges were lodged against him for serious crimes, thereby violating 28 USC 144 and USC 455.

Personal Bias or Prejudice - 28 USC 144

Appellant filed a timely and sufficient affidavit that the judge before whom the matter of Court Case # C 04 5867 (RJB)CCL was pending, Judge Charles C. Lovell, has a personal bias or prejudice against him and in favor of the adverse party (Docket 53). Such notice and affidavit was submitted unambiguously on April 28, 2005 in the motion to disqualify Judge Lovell, quote:

"Judge C.C. Lovell has shown acute prejudice against the Plaintiff and blatant partiality

for the Defendants. Judge Lovell has advantaged the Defendants by providing protection to the Defendants for felonies committed in connection with this case, by sanctioning their ongoing crimes against the Plaintiff, and thereby obstructing the proper conduct of justice. Judge Lovell has failed to perform peremptory judicial functions pursuant to Titles 18 USC § 4, 18 USC § 1505, 18 USC § 3041, 28 USC 535 (b)(1), and Rule 4 of Criminal Procedures. These transgressions of law were perpetrated in clear favor of the Defendants and in prejudice against the Plaintiff. Plaintiff moves this Court to disqualify Judge Lovell from this case for prejudicial acts against the Plaintiff, crimes against the United States, and 'conduct prejudicial to the effective and expeditious administration of the business of the Courts'."

Initial criminal charges against Judge Lovell were filed with the Court in that motion to disqualify Judge Lovell (Docket 53). The law demands that "such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding." However, Judge Lovell did proceed further – in fact, proceeded to dismiss the case, and to deny the motion demanding recusal. In doing so, he violated 28 USC 144.

Recusal of Judge – 28 USC 455

A judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. Judge Lovell's acts and omissions during the proceedings of US District Court for Western Washington, Case # C 04 5867 (RJB)CCL, was in breach of the laws, and his impartiality could unequivocally be questioned because of his lawless acts. His impartiality was in fact questioned in the motion submitted on April 28, 2005 to disqualify Judge

Lovell from the case (Docket 53). Judge Lovell failed to disqualify himself in violation of 28 USC 455.

4.2 The judgment was rendered on Motions for Dismissal which were illegitimately submitted.

The judge grants the Appellee's Motions to Dismiss. However, these motions are fraught with deceit and violations of criminal law. The violations include numerous counts of fraud, perjury, acting in conflict of interest, acting ultra vires, conspiracy to commit crimes, obstruction of justice, and others. In fact, in submitting the motions the 20 violations were reported in the Appellant's Briefs in Opposition to each of the Motions to Dismiss and in the criminal charges filed before the District Court. Those details are a matter of Court Record in this case (Dockets 33, 34, 41, 42).

The Motions to Dismiss were illegally submitted. The Court cannot sanction such illegal acts. The Court of Appeals must overturn the judgment granting the illegal Motions to Dismiss.

4.3 Fraud committed by the judge renders Judgement illegal

Judge Lovell's judgment is a monumental act of fraud (Addendum 4, p.64). The judge's clear intent is to deny the Appellant the protection of the Constitution and of the law, and to defraud the Appellant of any restitution for the malfeasant acts of the Appellees. The judgment is further aimed at illegally providing protection to the Appellees from criminal and civil liability for violation of their legal duties to the state, to society, and to the Appellant, and for the violation of the Appellant's common law and statutory rights. From the judgment it appears that the judge is attempting to protect President Bush as well (Excerpt 5, p.4). The judgment is not an articulation of *justice*, but rather a pernicious political act of judicial fraud.

Through selective and false argument, false representation of facts and legal principles, the judge arrives

at a deceitful and fraudulent judgment. There can be no mistaking the fraudulent intent of the judge.

The judge fraudulently misrepresents that the Appellant is *prosecuting criminal acts on behalf of the state*, (Excerpt 5, p.15) whilst in fact the Appellant's case is premised upon violations by Appellees of their common law duties to Appellant; and violations of Appellant's common law rights by Appellees, which violations have caused Appellant harm, suffering and loss. This premise is most succinctly stated in the opening paragraph and in paragraphs VI, VII, VIII and X of the Complaint (Excerpt 8), and could not possibly have been misinterpreted by the learned judge as an attempt to enforce criminal prosecution. However, the Appellant does request of the *state* to prosecute crimes, as he is obliged to do by law (18 USC 4). This request is succinctly stated in the Complaint XV. 6. (Excerpt 8, p.30).

The judge fraudulently misrepresents that the Appellant's case is a '*domestic relations case*' and therefore the federal court does not possess subject matter jurisdiction. This is a fraudulent misrepresentation, as dealt with above in paragraph VI. (Also refer Addendum 3, p.64)

The judge fraudulently misrepresents that the *Rooker-Feldman doctrine* applies to the case as "Here, Keyter seeks to obtain a federal district court review of the property division in this state court marital dissolution case." (Excerpt 5, p.17). Nowhere in the 'complaint document' does the Appellant seek a federal district court review of his divorce proceedings, and the domestic relations issue is a falsity dealt with above and in Addendum 3.

A further act of fraud was the tampering by the judge with the records of the Status Conference held on April 15, 2005. As these court proceedings reflected adversely upon the judge, he simply had the Court transcripts illegally and fraudulently altered and/or erased to misrepresent certain aspects of the hearing. Besides this amounting to a violation of USC 1506, it also amounts to fraud. [The Appellant will

work with the forensic investigators and criminal prosecutors to identify the areas of tampering]. This fraud is further described in Addendum 4, p 57.

5. THE COURT PROCEEDINGS AND JUDGEMENT IS DRENCHED IN THE CRIMINALITY OF THE JUDGE.

During the course of the case Judge Lovell commits numerous crimes in his illegal attempts to protect the Appellees from criminal and civil liability for their violations of law. This criminality disqualifies him from legal capacity to deliver the judgment.

The powers of a judge exist legally only for as long as, and to the extent that, he exercises his powers legitimately. When that legitimacy is breached, a judge ceases to be an agent of just government power. Any official acts (subsequent to committing the crimes) undertaken by Judge Lovell pertaining to this case were thus illegal, which includes the judgment he rendered to dismiss the case. The judgment was thus rendered by a judge who had no legal capacity to make that judgment.

5.1 Crimes committed by the Appellees upon which this civil claim is based, were dismissed by the Court in contravention of the law.

Criminal acts by the Appellees were presented to Court in the "Dossier of Crimes," and are a matter of court record, Excerpt 9 and Docket 15. These crimes have neither been investigated nor prosecuted. The duties of the Court to address these crimes are set forth in Federal Rules of Criminal Procedure, Rule 4. Further authority and prescribed course of action is given to the Court by 18 USC 3041. A duty is laid upon judges in terms of 18 USC 4 to administer the law. The Court thus has the power, the authority, and the duty to see to the administration of the law. The judge was delinquent in his legal duty of administering the laws of the United States where they were contravened. Statute 18 USC

1505 prohibits the obstruction of justice via the failure to administer the laws. The judge contravened 28 USC 535(b) regarding the investigation of government officers.

In the judgment to dismiss the case, the judge thus violated a Federal Rule on Criminal Procedure and a further 19 statutes. The judgment is therefore illegal and void.

5.2 Crimes committed by the defense teams were dismissed without investigation or prosecution.

Two Washington State Attorney Generals, two Deputy Attorney Generals, an Assistant Attorney General, and the Pierce Country Prosecutors, have acted in the capacity as counsel for the defense. They have done so under severe conflict of interest between their duty to prosecute the Defendants/Appellees for crimes committed and their duty to defend the Defendants/Appellees in a civil suit arising from those very same crimes. These defense attorneys also acted in contravention of Title 18 USC 4 when they failed to perform their peremptory legal duties regarding known crimes in terms of the law on Misprision of Felony. The defense attorneys acted in contravention of Title 18 USC § 1505 by impeding the administration of justice through their willful failure to prosecute the Defendants for known crimes. They acted in contravention of Title 18 USC § 3 when they purposefully assisted the Defendants to evade liability, knowing that crimes were committed by the Defendants. These defense attorneys further acted in breach of Title 18 USC § 371 when they conspired amongst themselves, with other defense attorneys in the case, and with their clients, to commit the aforementioned crimes The crimes are detailed in Dockets 33, 34, 41, and 42.

5.3 Underlying crimes in the conspiracy by government officers to obstruct the course of justice were dismissed without investigation or prosecution.

The "Dossier of Crimes" (Excerpt 9; Docket 15) was filed with the District Court in January 2005. This dossier

presented absolute evidence of numerous crimes committed by Appellees, and prima facie evidence of many more. Pursuant to law, every conspirator is also guilty of the principle offenses of other co-conspirators, leading to a bewildering total of 1.6 million criminal offenses in the conspiracy to obstruct justice and commit crimes. The crimes are of a serious nature and include perjury, fraud, theft, tampering with evidence, and numerous other serious felonies. None of these crimes have been investigated, and none have been prosecuted. Contrary to the law, the court summarily dismissed the allegations of 1.6 million crimes presented in the dossier without investigation or prosecution.

5.4 The judgment was rendered by a judge who was in contravention of the law by failing to recuse himself after charges were lodged against him for serious crimes.

Judge Lovell acted illegally in providing protection to known criminals and failed to address known crimes. In rendering criminal assistance to the Defendants, Judge Lovell became party to the case. Criminal charges were filed with the District Court against Judge Lovell on April 28, 2005, (Docket 53) and filed with the Court of Appeals on July 14, 2005 in the Motion for Stay of Judgment. The details of those crimes are a matter of Court Record in this case.

Criminal allegations include violations of the statutes on Misprision of Felony, Obstruction of Justice, Accessory after the Fact, Conspiracy to Commit Offense, Investigation of Crimes involving Government Officers, and Oath of Office. On April 28, 2005, a petition was filed with the Court in which Judge Lovell was requested to recuse himself after criminal charges were filed against him (Docket 53). The judge refused to do that, and in refusing he violated 28 USC 144 and 28 USC 455.

5.5 Further Crimes committed by the judge.

In presiding over this case, Judge Lovell violates no less than 21 laws, rules and statutes listed below. These

violations are detailed in Appendix 1 to the motion for stay of judgment filed with the Ninth Circuit Court of Appeals.

5.5.1 Contempt of Court - 18 USC 401
5.5.2 Tampering with a Witness - 18 USC 1512
5.5.3 Tampering with Evidence - 18 USC 1506
5.5.4 Misprision of Felony - 18 USC § 4
5.5.5 Obstruction of Justice - 18 USC § 1505
5.5.6 Accessory after the fact, to the crimes in the dossier - 18 USC § 3
5.5.7 Conspiracy to commit offense - 18 USC § 371
5.5.8 Investigation of Crimes involving Government Officers - 28 USC 535 (b)(1)
5.5.9 Conspiracy against Rights – 18 USC 241
5.5.10 Deprivation of Rights – 18 USC 242
5.5.11 Personal Bias or Prejudice - 28 USC 144
5.5.12 Recusal of Judge - 28 USC 455
5.5.13 Oath of Office - 28 USC § 453
5.5.14 US Constitution
5.5.15 Washington State Constitution
5.5.16 Rendering Criminal Assistance - RCW 9A,76.080
5.5.17 Official Misconduct - RCW 9A.80.010
5.5.18 Failure of Duty by Public Official - RCW 42.20.100
5.5.19 Federal Rules on Criminal Procedure, Rule 4
5.5.20 Perjury -18 USC 1621
5.5.21 Fraud

In addition the judge commits 47 counts of perjury in his judgment. (See Addendum 3). No principled court can permit a judgment borne out of such a staggering level of criminality to stand. The Court of Appeals has no choice but to overturn the judgment by Judge Lovell, and restore the case to trial.

6. IMPARTIALITY

The aiding and abetting and criminal protection of the Appellees by Judge Lovell discloses a malevolent disposition

of the judge towards the Appellant which renders impartial judgment impossible. This warrants the overturning of this judgment by the Court of Appeals. Moreover, the review by the judge of his own impartiality, his bias and deep-seated favoritism of the Appellees is untenable by any standards. The judge states in his judgment (Excerpt 5, p.13) that he has "reviewed (his) order dated March 22, 2005, setting the Status Conference, and (he has) also reviewed the transcript of proceedings of the Status Conference, and he has reviewed the transcript of the proceedings of the Status Conference on April 15, 2005." The judge further says: "I find no evidence of deep-seated favouritism or antagonism".

However, the notion that man can objectively review his own subjective acts is simply absurd. There is no treaty on human behavior that champions such a far-flung hypothesis. It cannot reasonably be expected of a Saddam Hussein or a Bin Laden to objectively review their own wicked acts – nor can a judge objectively review his own tainted mindset. It can also not be said that our judges are good (moral) and pure, and that in their minds will be found neither corruption nor defilement nor malignant bent. No, our judges merely reflect the prevailing consciousness of today's society – its scruples and its ills, which ills are so sadly demonstrated in this case. There is no moral perfection in a man or woman merely because he/she has assumed the mantle of 'judge'.

No sound legal system can permit a judge to decide on his own 'bias' or 'favoritism'. And it should not be permitted in this case by the Court of Appeals.

7. JUDGE FAILED TO APPLY HIS MIND TO THE ISSUE OF IMMUNITY

The judge raises the issue of possible immunity for the Appellees and comes to the perfunctory conclusion that many of them, "*perhaps all of them are entitled to some form of immunity*" (Excerpt 5, p.19). The judge states that he does

not consider it necessary to work through the list of the initial 230 government officials to consider the potential immunity of each - and he clearly has not. (Excerpt 5, p.19). The Court cannot dismiss the case on the grounds that the Appellees have immunity, as the judge has failed to apply his mind to the question of immunity for each of the Appellees.

In any event, Appellant submits that no immunity exists in Federal Law for an official who consciously commits a crime in his personal capacity (and that crime and/or its common law equivalent underlies a civil claim), *irrespective of whether their profession is in the public sector or private sector.* Take murder for instance. No citizen, irrespective of whether employed in the public or private sectors, is *immune* from prosecution for the act of *murder.* Common sense tells us this. Murder or burglary or perjury, or conspiracy for that matter, cannot be said to have been committed in good faith or in the execution of duties whilst holding an official position. Each of these is both a statutory and a civil wrong that give rise to a civil claim.

Similar common sense must be applied to the law on Misprision of Felony, 18 USC 4. No person, irrespective of whether employed in the public or private sectors, can escape from the ambit of this law. Appellees have all breached, or conspired to breach, this law. There are numerous other laws, which have been violated by Appellees, which further bars the invocation of immunity. In this regard the Court is referred to the 'Dossier of Crimes' filed with this Court. (Excerpt 9).

Moreover, can the Court really grant immunity from a mandamus order – an order to compel the Appellees to obey the law? **Answer:** No.

7.1 Immunity not a defense for acts outside of official duties

The Appellees cannot claim immunity, whether absolute or qualified, for their criminal deeds (or the common law equivalents thereof) upon which this civil claim for

restitution is based. Immunities are grounded in "the nature of the function performed, not the identity of the actor who performed it". Forrester v. White, 484 U.S. 219, 229-230 (1988). Crimes are acts of unofficial conduct. Criminal acts cannot be seen to be acts in the nature of an official's functions, nor even of the President's functions. "The principle rationale for affording Presidents immunity from damages actions based on their official acts—i.e., to enable them to perform their designated functions effectively without fear that a particular decision may give rise to personal liability, see Nixon v. Fitzgerald, 457 U.S. 731, 749,752,and n.32 - provides no support for an immunity for unofficial conduct." Clinton v. Jones, Certiorari to U.S Court of Appeals, 8th Circuit (1997). Unless this Court perceives deliberate and malicious criminal conduct to be part of the government's function and "official conduct", then this Court must concede that willful criminal conduct committed by an official in full knowledge of the harmful consequences upon a citizen, is not conduct in the line of official duty. "But we have never suggested that the President, or any other official, has an immunity that extends beyond the scope of any action taken in an official capacity. See id., at 759 Burger, C.J. concurring, (noting that a president, like Members of Congress, judges, prosecutors, or congressional aides – all having absolute immunity—are not immune for acts outside official duties)". Nixon v. Fitzgerald, 457 U.S. at 759, 761, n.4.

7.2 No man is above the law

Not even the President of the United States is above the law, let alone any lesser official. "The president, like all other government officials, is subject to the same laws that apply to all other members of our society..." [and that there is no] "case in which any public official ever has been granted any immunity from suit for his unofficial acts" [and that the rationale for official immunity] "is inapposite where only personal, private conduct by a President is at issue". Clinton

v. Jones, Certiorari to U.S Court of Appeals, 8th Circuit (1997) (citing Judge Bowman). In his petition in the aforementioned case, President Clinton himself did "not contend that the occupant of the Office of the President is 'above the law'."

7.3 Exception to absolute immunity related to cover up of crime

There is an important exception to absolute immunity when it is connected to crimes and the cover up of crimes. This exception is profoundly applicable in this suit in which numerous crimes by government officials – which crimes and their common law equivalents underpin this suit - have been covered up and swept under the carpet by officials. There can be no immunity granted when officials are involved in the cover up of crimes. Absolute immunity is extended to certain judicial officers which includes prosecutors. In cases where prosecutors have unconstitutionally covered up their improper conduct, or the improper conduct of others, they were not granted immunity. Conferring absolute immunity "would make a mockery of the criminal justice system". Ryland v. Shapiro, 708 F. 2d 967 (5th Cir. 1983). In Barret v. U.S., 798 F.2d 565 (2dCir. 1986), the Second Circuit ruled that the federal attorneys involved in the cover up of crime were not entitled to absolute immunity.

7.4 Absolute immunity is not applicable to private acts committed in violation of criminal law by a private citizen acting in his individual capacity.

An official does not have absolute immunity when he violates 18 USC § 4 in his individual capacity as a private citizen, rather than in his official capacity. "Nixon v. Fitzgerald, 457 U.S. 731, 749, 752, and n.32 – provides no support for an immunity for unofficial conduct." Clinton v. Jones, Certiorari to U.S Court of Appeals, 8th Circuit (1997). All citizens, including officials, regardless of position or standing in society, have a duty in terms of 18 USC § 4 to bring known felonies to the attention of some judge or

official who will deal with those felonies to prevent and deter the crimes and their harmful effects from continuing. This law contributes to the maintenance of a civil society. The Appellees, having been fully informed of multiple felonies committed against the Appellant, (Excerpt 9; Docket 15) and having been adequately capable to bring these crimes to the attention of the relevant authorities for action by them, maliciously chose not to perform this duty which is required of all citizens by this statute. This was not an omission of an official act alone, but also the unlawful omission of a legal obligation required of every private citizen in this society, and such a wanton personal act does not qualify for official immunity.

7.5 Absolute immunity is not applicable to an official for personal acts in his individual capacity in violation of the common law duties of a private citizen.

[Our form of government asserts] "that even the sovereign is subject to God and the law." 869 F Supp., at 698. Regardless of the status or position of a citizen, common law duty to society demands that a person report known crimes to the relevant authorities for official action, and demands that a person help a fellow citizen who is the victim of a crime to the extent that he can. The Appellees, as private citizens, were in a unique position to assist a fellow citizen who is suffering the harmful effects of ongoing criminal activity committed against him. The Appellees as private citizens, willfully and maliciously failed to exercise this common law duty. The clear intent was to provide protection to other criminals who are government officials. (Excerpt 9; Docket 15). The Appellees' acts were private acts of omission by a citizen of the United States acting in his/her individual capacity in violation of his/her common law duties towards society. This was not an omission of an official act in violation of a common law duty, but the unlawful omission of a civil act required of every private

citizen in a civil society, and such a wanton personal act does not qualify for official immunity.

7.6 Question: Does an official qualify for immunity for unofficial acts/omissions committed in his/her personal capacity? Answer: **No.**

8. ABUSE OF THE COURT SYSTEM

In his conclusion, Judge Lovell states that the submission of the Plaintiff's Complaint for Damages for harm and loss suffered at the hands of the Defendants/Appellees is an *abuse* of "our court system". (Excerpt 5, p.20).

This is a false representation intended to mislead and deceive the "Court" and the public, as the Fourteenth Amendment of the United States Constitution provides the very right to access and the protection of the law to every citizen.

It is very plain to see in this case that it is those in authority in general, and the judges involved in this case in particular, who have abused 'our court system'.

Appellant denies that he has in any way abused the Appellees by lodging the Complaint, as the judge states in his judgment. (Excerpt 5, p.20). From the full facts of the case a reasonable man can come to no other conclusion than that the Appellees abused their positions of trust, power and authority, which caused the Appellant harm, anguish and loss, thereby in effect abusing the Appellant.

Furthermore, a request to Court in the Complaint (Excerpt 8, § XIV.6) to order the Appellees to obey the law when they are in breach of the law, ought not to be considered an abuse of the Court system. The judge seeks to prohibit the Appellant from filing any further requests to the court to compel the Appellees to obey the law – such prohibition is undeniably an abuse of the Court system to meet extra-judicial objectives.

Moreover, a request to the Court to have 1.6 million crimes investigated and prosecuted in terms of the Court's own rules does not constitute an "abuse of the system". The dispensing of justice is the very raison d'être of the Court. Appellant submits that the false and perjurous representation by the judge regarding "abuse of the system" was made with the more sinister intent of deceiving the reader, the public, and the Appellant. The Court of Appeals must reject this notion.

VI. CONCLUSION

The Appellant's Complaint is a most sound and serious claim for compensation for harm and loss suffered as a result of violations of the Appellant's legal rights by the Appellees. The suit is in no way frivolous or an abuse of the court system. The Federal District Court has proper subject matter jurisdiction over the case.

The judgment rendered by Judge Lovell is contrived to achieve a pre-determined political outcome: the protection of 282 officers of government from civil and criminal liability for their violations of common and statutory law. The judgment is deficient and defective in that it ignores two major components of the case, viz: the request to the court to issue an order against the Appellees to obey the law and to execute their statutory duties; or failing which, for the Court to deal with 1.6 million crimes – the court does neither. The judge further fails to apply his mind to the question of immunity, and displays extreme bias in favour of the Appellees.

The judgment rendered by Judge Lovell is a monumental act of fraud. In presiding over the case, the judge commits numerous violations of criminal law which nullifies his very capacity to deliver a judgment. The judgment is illegal; it is void. The Court is requested to vacate the judgment which purports to dismiss the case and reinstate the case for trial. The Court should remand the case

to three District Court Judges from outside of Washington State for trial. The Court should disqualify those defense attorneys acting in conflict of interests and ultra vires.

This Honorable Court is further obliged to take dynamic and resolute action to deal with the staggering level of crimes presented to it, pursuant Rule 4 of the Rules of Criminal Procedures, 18 USC §3041, and 18USC §4.

VII. PRAYER FOR RELIEF

WHEREFORE the Plaintiff prays that the Court of Appeals:

1. Overturns the illegal judgment and order of the District Court and remands the case back to the District Court for trial.
2. Removes Judge Lovell from presiding over the case and institutes judicial action to deal with the malfeasance and contraventions of criminal law by the judge.
3. Disqualifies those defense counsels who are acting in conflict of interest.
4. Issues a Writ of Mandamus ordering each Defendant to execute his/her statutory duty with regard to the particular parcel of crimes presented to him/her, *alternatively,*

the Plaintiff prays that pursuant 18 USC 4, 18 USC 3041, Rule 4 of Federal Rules for Criminal Procedure and other laws which direct and mandate the Court, the Court of Appeals deals with the 1.6 million crimes presented to the Court in Excerpt 9 (Docket 15), and the 1.5 million crimes presented to the Court in Dockets 33, 34, 41, and 42.

Dated this 29th day of August, 2005

Anthony Keyter (Pro Se)

ADDENDUM 1 [TO APPEAL BRIEF]

Names of Appellees and their attorneys.

ADDENDUM 2 [TO APPEAL BRIEF]

Addendum of statutes and authorities.

ADDENDUM 3
[TO APPEAL BRIEF]

PERJURY,
(AND FRAUDULENT MISREPRESENTATIONS),
COMMITTED BY JUDGE LOVELL

Introduction

Justice, in its essence, is founded upon the strict and truthful weighing of the facts. Without truth there can be no justice. And judges are called upon to be just and to do right – a call they must answer under oath. No man, whether he be judge or otherwise, does right by another with false representations that harms that person. Such injury breaches the oath of a judge to do justice. Manipulation of the facts to one's own ends and deception employed in a judgment is not righteous but a perversion which amounts to perjury. Any misrepresentation pursuant the oath is perjury.

In presiding over the case, Judge Lovell had one objective in mind only, and that was to dismiss the case. In this way he could protect the President, protect 282 malfeasant government officers from civil and criminal prosecution, and save the Washington State and the Federal governments from the acute embarrassment of exposure of criminal acts committed by their senior officers. However,

the facts of the case do not provide a legal basis for dismissal of the case. Accordingly, the learned judge then perjurously fabricates in his judgment a basis for such dismissal through 47 false statements.

The judgment is a carefully contrived act of fraud aimed at a predetermined outcome - that of dismissal. In particular, the judge propagates the false notion that the case is in effect a *domestic relations case*, and that it is an attempt to realign the asset distribution of a marital dissolution. The judge then cleverly reinforces this fallacious notion through 15 false statements. Having established this false foundation throughout his written judgment, the judge then takes the easy steps to the argument that the federal courts have no jurisdiction over a domestic relations proceeding and that he is therefore obliged to dismiss the case. Judge Lovell reinforces this false argument no less than 13 times in his judgment. It is clear that the judge works on the assumption that if you repeat a lie often enough it eventually masquerades as the truth. Both notions are of course false.

In truth, the Appellant's case arises from the violations by Appellees of their common law duties to Appellant; and the violations of Appellant's common law rights by Appellees, which violations have caused appellant harm, suffering and loss. This premise is most succinctly stated in paragraphs VI, VII, VIII and X of the Complaint. By reading the Complaint and other Court Records the learned judge could not possibly have misinterpreted the case as a request for a review of asset distribution in a domestic relations case, as he suggests. Yet, Judge Lovell argues this false notion 15 times over.

Perjurous statements in the judgment are extracted below.

Perjury regarding 'domestic relations case':

1. *Page 1* ***Quote:*** "He [the Appellant] has already lost two state court cases and one federal court case (at both the district court and appellate court levels) arising out of the same basic transaction, which was a marital dissolution action."
   Comment: This case is *not* a marital dissolution case, nor does it arise there from. This case is unique and quite separate from other cases to which the judge links it. Also see general comment above.

2. *Page 3* ***Quote:*** "Not content to seek relief solely within the state court system in the State of Washington, on December 3, 2003, Keyter filed a complaint in the U.S. District Court for the District of Columbia against President George W. Bush, complaining of President Bush's "reckless disregard of his statutory duties …"
   Comment: The judge misrepresents that the cause for the claim against President Bush lies in the divorce courts of Washington State. The cause of the complaint against President Bush arose out of violations of statutory and common law perpetrated by the President himself – which violations led to harm, suffering and loss to the Plaintiff sought to be recompensed by the Plaintiff in that case.

3. *Page 6* ***Quote:*** "The gravaman of Keyter's complaint is that these 230 government officers have violated their obligation to stop a continuing series of crimes, to wit: crimes committed against Keyter by his ex-wife, her attorney, and by the presiding judge in his marriage dissolution action."

Comment: This is a misrepresentation. The gravaman of the case is the violations by Appellees of their common law duties to Appellant; and the violations of Appellant's common law rights by Appellees, which violations have caused appellant harm, suffering and loss. This premise is most succinctly stated in paragraphs VI, VII, VIII and X of the Complaint. Furthermore, the gravaman of the case is an action to compel 282 delinquent government officials to obey the law. In addition, the gravaman of the case is the request to the court to see to 1.6 million crimes which the Defendants have not investigated or prosecuted. These three pillars of the Plaintiff's case are clearly stated in the Complaint and bear no relation to the judge's statement above. His statement is a fraudulent and perjurous act.

4. *Page 6* ***Quote:*** "As damages, Keyter wants the assets and income that he lost in the property division of the marital estate."
   Comment: Not so. Plaintiff seeks $1.4m in damages from each defendant for harm, suffering and punitive claims. (See comment in point 30 below).

5. *Page 6* ***Quote:*** "This is essentially the same action Keyter filed against President Bush, with a different roster of defendants."
   Comment: These cases entail different causes, different crimes, different defendants, and different claims for damages. Not the same action at all. Also see comment point 3 above.
6. *Page 16* ***Quote:*** "...federal courts do not have jurisdiction over domestic relations cases..."

7. *Page 16* ***Quote:*** "A case primarily involving domestic relations is simply not a case over which a federal court ought to take jurisdiction."

8. *Page 16* ***Quote:*** "...and the only way that this Court could possibly decide whether or not Keyter's share of the marital estate was unfairly, illegally, or criminally taken from him would be for this Court to re-adjudicate the merits of the property settlement in the dissolution of his marriage."

9. *Page 16* ***Quote:*** "To do so would violate the fundamental jurisdictional rule that domestic relations issues and cases are reserved to the jurisdiction of the states."

10. *Page 17* ***Quote:*** "The *Rooker-Feldman* doctrine is a legal concept that excludes from federal subject matter jurisdiction those cases that seek to obtain federal district court review over state court decisions."

11. *Page 17* ***Quote:*** "Here, Keyter seeks to obtain a federal district court review of the property division in his state court marital dissolution case."
Comment: Nowhere in the 'complaint document' does the Appellant seek a federal district court review of his divorce proceedings. Appellant's claim for damages from Appellees is for harm and loss suffered as a result of *their* malfeasant actions and breaches of *their* common law duties to Appellant. This is clearly stated in the causes of action. (Complaint paragraphs VI, VII, VIII, X)

12. *Page 17* ***Quote:*** "The state court issues are inextricably intertwined with the claims that Keyter desires to advance in federal court."

13. *Page 18* ***Quote:*** "He is content to simply assert that the property division was wrong, unfair, immoral, in violation of his rights, and illegal and that I should start arresting his enemies accordingly."
Comment: Here the judge falsely links the wrongful property division of the marital case to the cause in this case. He also falsely links the request for the 'arrest' of the Defendants to the crimes associated with the illegal property division. The Defendants should be arrested for the crimes they committed. The judge has the obligation to arrest the Defendants in terms of Rule 4 of Federal Rules of Criminal Procedure – this obligation does not stem from Plaintiff's request. The obligation to arrest arises from the judge's obligation in terms of the law and not because, as the judge purports, the Plaintiff has 'enemies' amongst the 282 malfeasant officials. In any event, I do not perceive those officials as enemies, but as delinquent people who have breached the law. I hold no animosity in my heart towards them. That utterance, which the judge does not know to be true, is perjury. RCW 9A.72.080.

14. *Page 18* ***Quote:*** "I would have to review all the evidence that was submitted at trial in the marital dissolution action to determine whether the property division was incorrect."
Comment: The inequity of the property division in the marital dissolution is of no consequence in this trial. This perjurous statement is intended to mislead and deceive.

15. *Page 20* ***Quote:*** "Plaintiff's claim, reduced to its bare bones, as stated by him, is that he walked into a trial in state court with considerable property and a comfortable income stream but came out the other side without the property and with reduced income."
Comment: False statement. Appellant's claim for damages from Appellees is for harm and loss suffered as a result of *their* malfeasant actions and breaches of *their* common law duties to Appellant. This is clearly stated in the causes of action. (Complaint paragraphs VI, VII, VIII, X).

Perjury re 'Subject Matter Jurisdiction'

The following statements perjurously and fraudulently suggest that the Court does not have subject matter jurisdiction (as the judge falsely purports that the case is a domestic relations issue.) Of course the matter before the Court is *not* a domestic relations issue, and therefore the argument of "no jurisdiction" is false.

16. *Page 15* ***Quote:*** "There are numerous jurisdictional problems posed by Keyter's Complaint."

17. *Page 16* ***Quote:*** "...federal courts do not have jurisdiction over domestic relations cases..."

18. *Page 16* ***Quote:*** "A case primarily involving domestic relations is simply not a case over which a federal court ought to take jurisdiction."

19. *Page 16* ***Quote:*** "To do so would violate the fundamental jurisdictional rule that domestic relations issues and cases are reserved to the jurisdiction of the states."

20. *Page 17* ***Quote:*** "Here then, we have a case that rests on no provision of the Constitution, laws, or treaties of the United States and that introduces a subject matter over which a federal court ought not take jurisdiction."

21. *Page 17* ***Quote:*** "There is yet another jurisdictional impediment in this case, and this is the one that brings the jurisdictional edifice tumbling down."

22. *Page 17* ***Quote:*** "The *Rooker-Feldman* doctrine is a legal concept that excludes from federal subject matter jurisdiction those cases that seek to obtain federal district court review over state court decisions."

23. *Page 18* ***Quote:*** "This I cannot do because I lack jurisdiction over the matter."

24. *Page 18* ***Quote:*** "Therefore, because there is no valid federal law from which Keyter's Complaint can derive its jurisdiction…"

25. *Page 19* ***Quote:*** "…because the subject matter is inappropriate for a federal district court, and because a state court litigant is not entitled to obtain federal district court review of a state court's decision…"

26. *Page 19* ***Quote:*** "…and that I lack subject matter jurisdiction over Keyter's Complaint."

27. *Page 19* ***Quote:*** "…failed cause over which I have no subject matter jurisdiction."

28. *Page 20* ***Quote:*** "…Court lacks subject matter jurisdiction to entertain Plaintiff's Complaint."

Other perjurous statements

29. *Page 2* ***Quote:*** "In the instant case, Keyter's second federal lawsuit, Keyter makes his third attempt to recover property lost through his first state court case."
Comment: This case does *not* make a third attempt to recover marital property. $1.4 million is claimed from each Defendant for harm, suffering, loss and punitive recompense for malfeasant acts committed by *them*, not by the marital partner. The fact that one portion of the $1.4 million claim for damages from each Defendant in this case is *equivalent* in value to losses sustained from *another act* of fraud in *another case*, committed by *another party* who is not a party to this case, does not make it *part* of that other case. It does not render *this case* an attempt to recover losses of *that case*. Also see general comment above.

30. *Page 2* ***Quote:*** "Keyter tried to appeal the Superior Court's judgment and Decree of Dissolution to the Court of Appeals of the State of Washington, Division II, which granted a motion to dismiss the appeal on September 17, 2002."
Comment: The judge perjurously misleads the court and the reader to think that the case was dismissed after due consideration by the Appeals Court. Not so. Keyter voluntary withdrew his appeal before the case was heard.

31. *Page 3* ***Quote:*** "Keyter alleged that he had sent President Bush a 970 page Dossier of Crimes that informed President Bush of the crimes occurring within the State of Washington…"
Comment: It appears the purpose of this perjurous statement is to have the reader believe once again that

crimes related to this major conspiracy within government were limited to Washington State. From the document sent to President Bush it can be seen that this is a falsity.

33. *Page 4* ***Quote:*** "... absolute immunity protects the President from civil damages actions..."
Comment: A falsity. No immunity exists in American law for crimes committed by an official in his/her personal capacity. This equally applies to the President.

34. *Page 4* ***Quote:*** "... sovereign immunity protects the President acting in his official capacity from civil damages actions."
Comment: The judge is falsely intimating here that the crimes committed by the President were committed in his official capacity and that accordingly the President is immune from prosecution. The crimes committed by the President were committed in his personal capacity, for which no immunity exists in American law.

35. *Page 8* ***Quote:*** "Keyter questioned the Court's authority in this regard, and he seemed to assert that he was entitled to send private communications to me..."
Comment: This slanted statement flies in the face of Keyter's obligation in terms of 18 USC 4 to make known felonies to a United States judge. A citizen is not only entitled, but obliged in law, to communicate with a judge regarding crimes taking place in the proceedings over which he presides. The judge's statement is intended to discredit Keyter. In the context this statement amounts to perjury.

36. *Page 9* ***Quote:*** "... Keyter purports to add 51 defendants to the case..."

Comment: False statement intended to discredit Keyter. The Plaintiff simply files a Notice of Joinder. Plaintiff is "purporting" nothing.

37. *Page 12* ***Quote:*** "... and Plaintiff has failed his obligation to state particular facts that would convince a reasonable person that bias exists."

Comment: Refer paragraph 6 in the main text.

37. *Page 13* ***Quote:*** "I find no evidence of "deep-seated favoritism or antagonism."

Comment: Refer paragraph 6 in the main text.

38. *Page 13* ***Quote:*** "Nor may a party create a basis for recusal simply by naming a federal judge as a defendant."

Comment: The judge fails to state that Plaintiff is naming him as a Defendant for his numerous actions of criminal conspiracy with the Defendants, which crimes factually and legally binds him to the Defendants. In the context, this statement amounts to perjury.

39. *Page 15* ***Quote:*** "Private citizens are not permitted to enforce criminal statutes or prosecute crime."

Comment: Whilst the judge's argument may be legally correct in its restrictive sense, it is a fraudulent misrepresentation and perjury in the context of this case as Appellant's case is not an attempt at criminal prosecution. The Appellant's case is unquestionably a civil case for damages and is premised upon violations by Appellees of their common law duties to Appellant; and violations of Appellant's common law rights by Appellees, which violations have caused

appellant harm, suffering and loss. This premise is most succinctly stated in paragraphs VI, VII, VIII and X of the Complaint and could not possibly have been misinterpreted by the learned judge as an attempt to enforce criminal prosecution. This argument for dismissal of the case points to unquestionable fraud and perjury.

The Plaintiff has the obligation to bring the crimes to the judge's attention. This he has done. The judge has the obligation in law to prosecute or to arrange for the prosecution of the Defendants. This he has not done. The judge's statement is a perjurous misrepresentation of the facts.

40. *Page 15* ***Quote:*** "Thus properly informed of the law, Keyter nevertheless disregarded Judge Sullivan's legal instruction and filed the instant Complaint, relying once again on the same criminal statutes that were found to be unavailable and that failed to state a claim upon which relief could be granted against President Bush in Keyter's prior federal case."
Comment: Neither in the Bush case nor in this case against 282 officials does Keyter premised solely upon criminal statute for his civil claim. See comments in points 39 and 41 and the comment on fraud in the Motion for Stay of Execution. This is a perjurous misrepresentation of the facts.

41. *Page 15* ***Quote:*** "Keyter persists in his unreasonable belief that he has the right to sue any individual whom Keyter believes has violated a federal criminal statute."
Comment: Most Federal Criminal Statutes have a counterpart in common law, as they often arise from common law, for example murder, or misprision of

felony, or defamation etc. Simply, legislators enact on criminal statute those norms that already exist in society and which provide certain rights and demands certain obligations of citizens. Whether the malfeasant actions by the Defendants are described by their criminal law designations or in common law terms, those malfeasant acts which lead to another's harm and loss nevertheless gives rise to a claim for damages in terms of the Constitution and the laws of the country. Murder or defamation or misprision of felony *however described*, remain malfeasant acts for which damages may be claimed.

The essence of the cause of action in this case is that Defendants have committed malfeasant acts, whatsoever their description. In his Complaint, Plaintiff describes the malfeasant acts of the Defendants both in their criminal law context *as well as* in their common law context. In the statement above, the judge perjurously misrepresents these facts.

42. *Page 18* ***Quote:*** "However, I am not in a position to take him at his word without hearing and without evidence..."
Comment: The judge suggests through this perjurous statement that the court possesses no evidence of crimes. There is in the court records a 1017-page Dossier of Crimes providing prima facie evidence of meticulously described crimes. Amongst them are crimes admitted to under oath. The judge's statement is a perjurous misrepresentation.

Furthermore, the reader and the public alike should ask themselves the serious question: if allegations exist of 1.6 million crimes and felonies

perpetrated by government officials, and prima facie evidence of these crimes is to hand, why would Judge Lovell fail his statutory duties to address these crimes? The answer is patently clear. Judge Lovell is criminally attempting to cover up these crimes, and the false and perjurous statements made by the judge in his judgment, as the one above, must be seen in this context.

43. Page 19 ***Quote:*** "...I find that the Complaint fails to state a claim..."

Comment: Appellant submits that this perjurous statement is made solely with intent to defraud. The causes stated in the complaint are as clear, concise, and unambiguous, as any *pro se* litigant can state them. The Plaintiff has clearly shown that his common law rights have been violated, that the Defendants violated those rights, and that as a result of those violations Plaintiff has suffered harm and loss. However, should the wording of the complaint have failed to state the cause clearly, the judge had an obligation to permit the Plaintiff to correct such inarticulate wording. This he has not done.

The fraudulent intent is clear in the above perjurous statement; particularly in the light of the fact that the judge then prohibits the Plaintiff from filing an Appeal, and illegally threatens the Appellant with contempt of court should he disobey that fraudulent and illegal order.

44. Page 19 ***Quote:*** "... the allegations of the Complaint are defective..."

Comment: The mere fact that a corrupt judge says that the complaint is defective, does not make it so. This is a perjurous statement.

45. *Page 20* ***Quote:*** "Recognizing the distinction between a defective claim and a defective statement of a good claim, the Court finds that this is the former."

Comment: Perjurous statement. Refer point 43 above.

46. *Page 20* ***Quote:*** "I also find that this Complaint is frivolous…"

Comment: Refer paragraph 3 in the main text.

47. *Page 20* ***Quote:*** "…its prosecution by Keyter is an abuse of our court system…"

Comment: The judge breaches 20 laws in his attempt to protect 230 malfeasant officers of government who have amongst them committed 1.6 million crimes. *That* is abuse of the court system, not an honest and earnest attempt to recover damages as a result of that malfeasance. The perjury is patently obvious. Also see paragraph 8 in the main text.

CONCLUSION

Each of these statements above is both a fraudulent misrepresentation and an act of perjury. Whilst each statement is a crime, it is when these statements are assessed collectively that the magnitude of Judge Lovell's fraud becomes apparent. The fact that the judge had to resort to 47 falsities to provide his judgment with the *appearance* of legal respectability renders the judgment as a whole a crime which no court founded upon the principles of *justice* can sanction.

Judge Lovell has violated the noble principle of 'justice' and 'the protection of the law' enshrined in the Constitution. Through his judgment Judge Lovell in fact

obstructs justice by fraudulent means. His judgment constitutes a gross abuse of his position of authority and shows utter contempt, not only for the honorable institution of the court, but for the law and for every citizen of the United States. I, for one, shall not countenance such abuse and contempt.

The Court of Appeals has a profound duty not only to set aside Judge Lovell's judgment, but to deal with his crimes in a most resolute and rigorous manner and administer the full extent of the law.

ADDENDUM 4 [TO APPEAL BRIEF]

EXTRACT:

Criminal charges herewith lodged against Judge Charles C. Lovell – United States District Court Judge. Submitted by Anthony P. Keyter – July 14, 2005

Criminal charges are herewith filed against United States District Court Judge C.C. Lovell, Presiding Judge in Case # C 04 5867 (RJB)CCL, for violation of the following Laws and Rules of the Court:

1. Contempt of Court - 18 USC 401
2. Tampering with a Witness - 18 USC 1512
3. Tampering with Evidence - 18 USC 1506
4. Misprision of Felony - 18 USC § 4
5. Obstruction of Justice - 18 USC § 1505
6. Accessory after the fact, to the crimes in the dossier - 18 USC § 3
7. Conspiracy to commit offense - 18 USC § 371
8. Investigation of Crimes involving Government Officers - 28 USC 535 (b)(1)
9. Conspiracy against Rights – 18 USC 241
10. Deprivation of Rights – 18 USC 242
11. Personal Bias or Prejudice - 28 USC 144
12. Recusal of Judge - 28 USC 455
13. Oath of Office - 28 USC § 453
14. US Constitution
15. Washington State Constitution
16. Rendering Criminal Assistance- RCW 9A.76.080
17. Official Misconduct - RCW 9A.80.010
18. Failure of Duty by Public Official - RCW 42.20.100
19. Federal Rules on Criminal Procedure, Rule 4
20. Perjury -18 USC 1621
21. Fraud

1. Contempt of Court - 18 USC 401[1]

Judge Charles C. Lovell has shown utter contempt for the rules and the laws of court. Judge Lovell has in the presence of the court, and in contempt for its authority, misbehaved in such a manner as to obstruct the administration of justice. Judge Lovell failed to administer justice upon Defendants who were in breach of the laws. (See 'Dossier of Crimes'). He failed to take any action to compel Defendants to obey the law - an action which was requested in the Complaint. He further failed to take any action upon the crimes associated with the motions for dismissal. (See: Replies to Motions for Dismissal). Judge Lovell contrived a fraudulent Ruling. The judge made numerous perjurous statements with the intent to deceive the Court, the Plaintiff, and the public. Judge Lovell's acts and omissions are described in the motion for stay of judgment above, the Appeal Brief, and in the motion to disqualify him from the case.

As an officer of the court, Judge Lovell has in his official transactions violated the Constitution and the laws of the United States and of Washington State. Judge Lovell has been disobedient to the lawful rules of the courts, and in particular Rule 4 of the Federal Rules of Criminal Procedure. Through his misbehavior and criminal activity, the judge has displayed an utter contempt of court – a violation of 18 USC 401.

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[1] Contempt of Court - 18 USC 401 A court of the United States shall have power to punish by fine or imprisonment, at its discretion, such contempt of its authority, and none other, as-- (1) Misbehavior of any person in its presence or so near thereto as to obstruct the administration of justice; (2) Misbehavior of any of its officers in their official transactions; (3) Disobedience or resistance to its lawful writ, process, order, rule, decree, or command.

2. Tampering with a witness, victim, or an informant – 18 USC 1512[2]

The conduct of the Plaintiff has been according to law. The intention of the civil suit is firstly to seek restitution

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[2] Tampering with a witness, victim, or an informant - 18USC1512

(b) Whoever knowingly uses intimidation or physical force, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to-- (1) influence, delay, or prevent the testimony of any person in an official proceeding; (2) cause or induce any person to-- (A) withhold testimony, or withhold a record, document, or other object, from an official proceeding; (B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding; (C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or (D) be absent from an official proceeding to which such person has been summoned by legal process; or (3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings; shall be fined under this title or imprisoned not more than ten years, or both.

(c) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from-- (1) attending or testifying in an official proceeding; (2) reporting to a law enforcement officer or judge of the United States the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings; (3) arresting or seeking the arrest of another person in connection with a Federal offense; or (4) causing a criminal prosecution, or a parole or probation revocation proceeding, to be sought or instituted, or assisting in such prosecution or proceeding; or attempts to do so, shall be fined under this title or imprisoned not more than one year, or both.

for harm and losses caused by illegal acts and violations of common law by the Defendants; and secondly, to compel delinquent Defendants to obey the laws of the United States and of Washington State, and to do their legal duties. Criminal charges were filed by the Plaintiff to instigate investigations into the gross malfeas nce encountered, and to induce the Defendants to testify truthfully about their role in the criminal conspiracy and the cover up thereof.

Judge Lovell has *knowingly used intimidation and threats* to corruptly attempt to persuade the Plaintiff, with intent to (a) influence and prevent the investigation, testimony, and prosecution of the Defendants; (b) hinder, delay, and prevent the communication to a law enforcement officer or judge of the United States who would take action, information relating to the commission or possible commission of Federal offenses.

Judge Lovell has *used intimidation and threats*, by (a) threatening a citation of contempt of court for Plaintiff if he exercised his lawful right to institute appeal against an unlawful judgment (See judgment page 21 – May 20, 2005) (b) threatening the Plaintiff with defamation charges during the status conference of April 15, 2005, for reporting the commission of crimes committed by officials (See status conference transcript page 16).

Judge Lovell *intentionally harassed* the Plaintiff and thereby attempted to hinder, delay, prevent, and dissuade the Plaintiff from testifying in the case; and from reporting to a law enforcement officer or judge of the United States the commission or possible commission of Federal offenses; and from seeking the arrest of the Defendants in connection with Federal offenses; and from causing a criminal prosecution to be sought or instituted; and from assisting in such prosecution or proceeding.

Judge Lovell *intentionally harassed the Plaintiff* by (a) frustrating attempts by the Plaintiff to entrain the justice system to fulfill its public obligations regarding the criminal conspiracy within the government (b) obstructing the administration of justice by failing to tend to his duties under misprision of felony and the rules of the court (c) dismissing the case without compelling the delinquent officers to obey the law (d) tampering with, and removing, relevant court evidence (e) demonstrating acute contempt of court and the rules and the laws of the court (f) finding the prosecution of this case by Plaintiff frivolous and an abuse of the court system and of the Defendants, and ordering no further claims in this case, when there are more than 1.6 million crimes connected with this case which have not been investigated or prosecuted; some of which were confessed to, and one of which was admitted to under oath and on court record.

3. Tampering with Evidence: (Theft or alteration of record or process) – 18 USC 1506[3]

Judge Lovell feloniously altered and falsified the transcript of the status conference which was part of a proceeding in the United States District Court for Western Washington, and upon which conference a judgment was in part based. I will work with investigators into this affair and will at that time provide prima facie evidence. Judge Lovell violated 18 USC 1506 by tampering with evidence.

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[3] 18 USC §1506 "Whoever feloniously steals, takes away, alters, falsifies, or otherwise avoids any record, writ, process, or other proceeding, in any court of the United States, whereby any judgment is reversed, made void, or does not take effect; Shall be fined under this title or imprisoned not more than five years, or both".

4. Misprision of Felony[4] - 18 USC § 4

Once the crimes of the Defendants were made known to Judge Lovell, he had an intrinsic duty in terms of Title 18 USC § 4[4] to administer the law. In patent dereliction of his judicial obligations, Judge Lovell has allowed the criminal violations to go unpunished and indeed to continue unimpeded with his full knowledge and tacit consent. Failing to identify a criminal is a crime. Judge Lovell has by his inaction provided protection to the offenders and concealed their crimes. He concealed their crimes by failing to take action and he did not '*as soon as possible* make the same known to a person in authority' *who would take action,* action which is peremptory in the context of this law. Judge Lovell's criminal neglect, despite having knowledge of the commission of felonies, violated Title 18 USC § 4 and demonstrated unrestrained partiality in favor of the Defendants.

5. Obstruction of Justice[5] - 18 USC § 1505

By turning a blind eye and ignoring the obstruction of justice by the Defendants described in the 'Dossier of Crimes', Judge Lovell colluded with the criminal conduct of

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[4] 18 USC § 4 of the United States Code states that, "whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States" is guilty of Misprision of Felony.

[5] 18 USC § 1505 of the United States Code states that whoever corruptly "obstructs, or impedes" "the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States" is guilty of Obstruction of Justice.

the Defendants and legitimized their illegal acts. His mandated legal obligation was clearly to apprehend the offenders. Judge Lovell has the power, the authority, and the duty to administer the law. Rather than doing that he chose through criminal neglect of his duties to obstruct justice by impeding the due and proper administration of the law. Thus Judge Lovell violated Title 18 USC § 1505. In doing so, Judge Lovell demonstrated unrestrained bias in favor of the Defendants, and prejudice against the Plaintiff.

6. Accessory after the Fact[6]

Despite being fully aware of the crimes of the Defendants, Judge Lovell withheld his crucial judicial functions so as to prevent their apprehension, trial, and punishment. Providing protection to a criminal is a crime. By failing to apprehend them, Judge Lovell has assisted the offenders to evade compliance with the law and face liability for their crimes. By assisting them to escape apprehension, trial, and punishment for their crimes, Judge Lovell violated Title 18 USC § 3 and became an accessory after the fact to the crimes of the Defendants. In that act of criminal neglect Judge Lovell demonstrated unrestrained bias in favor of the Defendants and prejudice against the Plaintiff.

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[6] 18 USC § 3 of the United States Code states that "whoever, knowing that an offense against the United States has been committed" "assists the offender in order to hinder or prevent his apprehension, trial, or punishment, is an accessory after the fact".

7. Conspiracy to Commit Offense[7]

Judge Lovell actively colluded with the criminal conduct of the Defendants. He colluded with their criminal conduct by joining their common objective to obstruct justice. Through criminal neglect of his own duty to administer the law, he joined with the aims of the Defendants in mutual protection of one another in violating the statute on Misprision of Felony. By legitimizing their illegal acts and willfully neglecting to perform his duty concerning their breaches of law, he obstructed the normal course of justice in combination with the Defendants, and thereby violated 18 USC § 371 - Conspiracy to Commit an Offense. In this act Judge Lovell demonstrated unrestrained bias in favor of the Defendants and prejudice against the Plaintiff.

Further prejudice was demonstrated during the status conference held on April 15, 2005, where it became evident that Judge Lovell was conspiring with other senior government officials, presumably from Washington D.C., who are bent on preventing this case from proceeding. The information leading to this conclusion will be shared with investigators when criminal investigations commence. Investigators should examine the intentions of the conference between Judge Lovell and these higher officials from Washington, D.C., to determine what Judge Lovell's objectives were when he left that conference with those officials, and what objectives he had in calling for the status conference. I submit that serious investigations will reveal much of the alleged conspiracy and the true aims of getting

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[7] 18 USC § 371 of the United States Code states that "If two or more persons conspire either to commit any offense against the United States" "and one or more such persons do any act to effect the object of the conspiracy" each is guilty of Conspiracy to Commit Offense.

this case dismissed. I am prepared to provide further details and cooperate with investigations to the full.

8. Investigation of Crimes involving Government Officers[8]

The statute 28 USC 535 (b)(1) clearly lays the onus on Judge Lovell to either do his judicial duties, or failing the law governing his duties, to report the violations to the Attorney General. This duty was not accomplished by Judge Lovell, which failure provided protection to the Defendants. The judge violated 28 USC 535(b). This violation and omission demonstrated unrestrained bias in favor of the Defendants and prejudice against the Plaintiff.

9. Conspiracy against Rights - 18 USC § 241[9]

By violating the aforementioned laws Judge Lovell conspired with the Defendants to cover up their crimes against the state and the Plaintiff. He therefore conspired against the Plaintiff's right to the protection of those laws, and the right to lawful ownership of property. This

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[8] 28 USC 535 (b) states that any information, allegation, or complaint received in a department or agency of the executive branch of the government relating to violations of title 18 involving Government Officers and employees shall be expeditiously reported to the Attorney General by the head of the department or agency, unless (1) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by another provision of the law.

[9] 18 USC § 241 Conspiracy against rights, states in part: "If two or more persons conspire to ...oppress...any person in any State...in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States...they shall be fined under this title or imprisoned not more than ten years.

transgression was perpetrated in clear favor of the Defendants and in prejudice against the Plaintiff.

10. Deprivation of rights under color of law -18 USC 242[10]

Judge Lovell deprived the Plaintiff of the right to protection of the laws, and the right to the return and ownership of lawful property: by dismissing the case without a fair hearing; by denying the due process of a legitimate appeal; by failing his judicial duties in relation to this case - duties concerned with the termination and prevention of further crimes against the Plaintiff; by threatening a witness; and by conspiring with the Defendants to commit further offenses against the Plaintiff.

11. Personal Bias or Prejudice – 28 USC 144[11]

Plaintiff filed a timely and sufficient affidavit that the judge before whom the matter of Court Case # C 04 5867 (RJB)CCL was pending, Judge Charles C. Lovell, has a personal bias or prejudice against him and in favor of the

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[10] 18 USC 242 Deprivation of Rights states in part "Whoever, under color of law.... willfully subjects any person in any State... to the deprivation of any rights... secured by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year".

[11] United States Code, 28 USC 144 "Whenever a party to a proceeding in a court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding."

adverse party. Such notice and affidavit was submitted unambiguously on April 28, 2005, in the motion to disqualify Judge Lovell, quote:

> *"Judge C.C. Lovell has shown acute prejudice against the Plaintiff and blatant partiality for the Defendants. Judge Lovell has advantaged the Defendants by providing protection to the Defendants for felonies committed in connection with this case, by sanctioning their ongoing crimes against the Plaintiff, and thereby obstructing the proper conduct of justice. Judge Lovell has failed to perform peremptory judicial functions pursuant to Titles 18 USC § 4, 18 USC § 1505, 18 USC § 3041, 28 USC 535 (b)(1), and Rule 4 of Criminal Procedures. These transgressions of law were perpetrated in clear favor of the Defendants and in prejudice against the Plaintiff. Plaintiff moves this Court to disqualify Judge Lovell from this case for prejudicial acts against the Plaintiff, crimes against the United States, and 'conduct prejudicial to the effective and expeditious administration of the business of the courts'."*

Initial criminal charges against Judge Lovell were filed with the court in that motion to disqualify Judge Lovell. The law demands that "such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding." However, Judge Lovell did proceed further, indeed proceeded to deny the motion which invoked that law, and proceeded to rule to dismiss the case, thereby violating 28 USC 144.

12. Recusal of Judge – 28 USC 455[12]

A judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. Judge Lovell's acts and omissions during the proceedings of US District Court for Western Washington, Case # C 04 5867 (RJB)CCL, was in breach of the laws, and his impartiality could unequivocally be questioned because of his lawless acts. His impartiality *was* in fact questioned in the motion submitted on April 28, 2005 to disqualify Judge Lovell from the case. Judge Lovell failed to disqualify himself in violation of 28 USC 455.

13. Oath of Office – 28 USC § 453[13]

In each instance where the laws and the Constitution have been violated, Judge Lovell did not adhere to his Oath of Office to uphold the Constitution and abide by the laws, but violated this solemn pledge to the people of the United States whom he was elected to serve, thereby violating 28 USC § 453.

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[12] United States Code, 28 USC 455 "(a) Any justice, judge, or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned."

[13] 28 USC § 453: States that a judge shall faithfully and impartially discharge and perform all the duties incumbent upon him under the Constitution and laws of the United States.

14. US Constitution – Fourteenth Amendment[14]

Every citizen living in the *United States* has in terms of the law the following two basic rights: that of ownership of property, and that of equal protection of the laws. Judge Lovell afforded the Plaintiff no protection of the Constitution or the laws; neither from the violations of law perpetrated by the Defendants which were filed before him, nor from his own violations against the United States and the Plaintiff. Imperative norms and legal duties imposed upon Judge Lovell to perform certain duties of government function prohibit him from omitting to act in the affirmative. Judge Lovell has wrongfully taken certain actions in the case before him, and intentionally withheld certain other official actions, thereby substantially harming Plaintiff's well being and financial condition, causing ongoing hardship, in violation of the Constitution of the of the United States.

15. Washington State Constitution – Section 3[15]

The Washington Constitution, Section 1, states unequivocally: *"All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights."* Every citizen living in *Washington State* has, by law, the following two basic rights secured by the

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[14] US Constitution - Amendment XIV, Section 1 "... nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

[15] Washington State Constitution, Section 3 - Personal Rights: "No person shall be deprived of life, liberty, or property, without due process of law".

Washington State Constitution, Section 3, that of ownership of property, and that of equal protection of the laws. Judge Lovell afforded the Plaintiff no protection of the Constitution or the laws; neither from the violations of law perpetrated by the Defendants and filed before him, nor from his own violations against the United States and the Plaintiff. Judge Lovell violated the Washington State Constitution – Section 3.

16. Rendering Criminal Assistance - RCW 9A.76.080[16]

Judge Lovell rendered assistance to the Defendants, in US District Court Case # C 04 5867 (RJB)CCL, to evade prosecution and liability for their crimes. He assisted the Defendants to escape prosecution for their crimes by failing to take peremptory action demanded of him in terms of 18 USC 4 and Rule 4 of criminal procedures. He further failed to command Defendants to obey the law, laws of which they were in breach of. Compelling Defendants to obey the law would have led to their duties being fulfilled, leading further to the investigations and prosecutions of the crimes. Judge Lovell's intent was clearly to prevent or hinder the apprehension and prosecution of the Defendants whom he knew had committed numerous crimes. By (illegally) forbidding due process and further judicial action in this case, by use of deception and false statements to the court, he attempted to prevent and obstruct anyone else from performing any act that might aid in the apprehension of the

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[16] Revised code Of Washington 9A.76.080 As used in RCW 9A.76.080, a person "renders criminal assistance" if, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he knows has committed a crime, he prevents or obstructs, by use of deception, anyone from performing an act that might aid in the apprehension of such person.

Defendants. Judge Lovell thus violated the Revised code Of Washington, RCW 9A.76.080.

17. Official Misconduct - RCW 9A.80.010[17]

I submit that Judge Lovell intentionally refrained from performing his duties imposed upon him by law. Part of those duties is to initiate investigations into violations of the criminal laws within this state. Another duty is to arrest the offenders. These duties are laid down in 18 USC 4, Rule 4 of Criminal Procedures, and other statutes mentioned above. Judge Lovell refrained from doing these duties. The crimes filed before Judge Lovell involved serious felonies such as burglary, perjury, fraud, theft, conspiracy, and many more serious offenses.

I attest that Judge Lovell intentionally failed to deal with these crimes and with the offenders. The direct consequence was to deprive the Plaintiff of his lawful right to equal protection under the law. Another direct consequence of this failure was the deprivation of Plaintiff's lawful right to his possessions and property. Those possessions and property, protected by law and the Constitutions of Washington State and the United States, were seized by illegal government action. Judge Lovell further acted to cover up the crimes by denying due process of law through denying the right to and appeal. His actions are tantamount to official misconduct – a breach of RCW 9A.80.010.

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[17] Revised Code of Washington 9A.80.010 states that a public servant is guilty of official misconduct if, with intent to deprive another person of a lawful right or privilege, he/she intentionally refrains from performing a duty imposed upon him/her by law.

18. Failure of Duty by Public Official - RCW 42.20.100[18]

Certain duties in law are laid upon a Federal Judge. These duties are laid down, amongst other, in 18 USC 4, Rule 4 of Criminal Procedures, 18 USC § 3041, 28 USC 535, 28 USC 144 and 455, 28 USC 453, RCW 42.52.900, and other statutes and rules. Part of those duties is to initiate investigations into violations of the criminal laws filed before him. Another duty is to arrest the offenders.

Judge Lovell intentionally refrained from performing his duties imposed upon him by law. The consequences of his willful neglect to perform such duty condoned the illegal seizure of Plaintiff's rightful possessions and property, and the loss of Plaintiff's right to equal protection under the law. The willful neglect by the judge to perform imposed duty condoned the criminal acts by Defendants in the case before him, covered up crimes by the Defendants, and aided and abetted Defendants to evade justice. Plaintiff asserts that by omitting to perform his judicial duties enjoined upon him by law, Judge Lovell violated the statute on "Failure of Duty by a Public Officer".

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[18] Failure of duty by Public Officer Revised Code of Washington 42.20.100 states that whenever any duty is enjoined by law upon any public officer or other person holding public trust or employment, their willful neglect to perform such duty, except where otherwise specially provided for, shall be a misdemeanor.

19. Federal Rules of Criminal Procedure, Rule 4[19]

Title 18 USC § 3041[20] of the United States Code *empowers* a judge to act under circumstances where a Complaint, or an affidavit such as the 'Dossier of Crimes', provides probable cause of offenses which have been committed. Judge Lovell had the power he required and the US District Court has cognizance of the offenses committed by the Defendants. Title 18 USC 4 *required* Judge Lovell, having knowledge of felonies committed, to act appropriately and *'as soon as possible'* regarding those felonies. Rule 4 of the Federal Rules of Criminal Procedure provides regulation for the actions of a judge in this situation. Clear and unambiguous probable cause existed for Judge Lovell to take the necessary steps to arrest the Defendants in accordance with Federal Court Rules. Yet no action was forthcoming from Judge Lovell pursuant to Rule 4 of Criminal Procedures. Judge Lovell criminally neglected his duties to administer justice and instead protected the Defendants and concealed their crimes.

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[19] Federal Rules of Criminal Procedure FRCr.P. Rule 4: Rule 4 (a) states: "If the complaint or one or more affidavits filed with the complaint establishes probable cause to believe an offense has been committed and that the defendant committed it, the judge must issue an arrest warrant to an officer authorized to execute it. Rule 4 (c) states: Such warrant must "command that the defendant be arrested and brought without unnecessary delay before a judge".

[20] Title 18 USC § 3041 This law states: "For any offense against the United States, the offender may, by any justice or judge of the United States, be arrested and imprisoned or released as provided in chapter 207 of this title, as the case may be, for trial before such court of the United States as by law has cognizance of the offense."

Defendants, all having respective and specific legal duties regarding the specific package of crimes presented to them, violated the laws concerning their duties and the law regarding misprision of felony. Judge Lovell was informed of that fact in the Complaint and in the 'Dossier of Crimes' filed in the motion for ex parte restraining order. Yet the judge neglected to compel the Defendants *to obey the law* and to do their respective duties to terminate the ongoing and harmful crimes of the conspiracy. By willfully neglecting to perform his judicial duties to the United States public, including the Plaintiff, Judge Lovell joined with the 230 conspiring government officers implicated in this case. Judge Lovell rendered criminal assistance to the Defendants by sanctioning their crimes, covering up those crimes, and aiding and abetting Defendants to evade justice. Judge Lovell sanctioned those criminal deeds to the detriment of the Plaintiff, and in violation of Rule 4 of Federal Rules of Criminal procedure.

20. Perjury – 18 USC 1621[21]

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[21] Perjury generally - !8 USC 1621 Whoever-- (1) having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or (2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 46 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

In the context of his duties and his oath, utterances by the judge in his Ruling/Order are made under oath. Accordingly, any intentional misrepresentation by the judge amounts to perjury. In his Ruling/Order dated May 20, 2005, Judge Lovell made numerous perjurous statements, no less than 40 in number. See Plaintiff's Appeal Brief, US Court of Appeals for the Ninth Circuit. Judge Lovell is guilty of violating 18 USC 1621 on no less than 40 counts.

21. Fraud

Judge Lovell's Ruling is a monumental act of fraud. The judge's clear intent is to deny the Plaintiff the protection of the Constitution and of the law, and to defraud the Plaintiff of any restitution for the malfeasant acts of the Defendants. The ruling is further aimed at illegally providing protection to the Defendants, (and it seems from the Ruling, to President Bush as well) and from civil liability for violation of their legal duties to society and to the Plaintiff, and the violation of the Plaintiff's common law and statutory rights. The ruling is not an articulation of *justice*, but rather a pernicious political act of fraud.

Through selective and false argument, false representation of facts and legal principles, the judge arrives at a deceitful and fraudulent Ruling. There can be no mistaking the fraudulent intent of the judge. This fraud is further described below:

The judge seizes on the legal argument that: "private citizens are not permitted to enforce criminal statutes or prosecute crime....because, as criminal statutes, they do not convey a private right of action." (Ruling, P15). Whilst this argument may be legally correct in its restrictive sense, it is a fraudulent misrepresentation in the context of this case. The

Plaintiff's case is premised upon violations by Defendants of their common law duties to Plaintiff; and violations of Plaintiff's common law rights by Defendants, which violations have caused Plaintiff harm, suffering and loss. This premise is most succinctly stated in paragraphs VI, VII, VIII and X of the Complaint, and could not possibly have been misinterpreted by the learned judge as an attempt to enforce criminal prosecution. This argument for dismissal of the case points to unquestionable fraud.

The judge further and fraudulently, misrepresents that the Plaintiff's case is a 'domestic relations case', and that: "a case primarily involving domestic relations is simply not a case over which a federal court ought to have jurisdiction." "To do so would violate the fundamental jurisdictional rule...". The judge then fraudulently argues: "that introduces a subject matter over which a federal court ought not take jurisdiction". The judge repeats several times in his ruling the assertion that the Plaintiff's case is essentially a state domestic relations case, and therefore the federal court has no jurisdiction. The Plaintiff's claim, as stated above, is one of damages for harm, suffering, and loss, caused by the Defendants. The Plaintiff has no domestic relations with any of the Defendants. His case is *not* a domestic relations case.

The judge's fraudulent misrepresentations are clearly employed to provide him with a basis for dismissing the case. However, the ostensibly legal arguments and statements presented by the judge are in fact unadulterated lies which in the context amounts to fraud.

The judge fraudulently (but eloquently) misrepresents that the Rooker-Feldman doctrine "brings the jurisdictional edifice (of Plaintiff's case) tumbling down." "Here, Keyter seeks to obtain a federal district court review of the property division in this state court marital dissolution case." These

are further blatant lies which have the objective to defraud the Plaintiff and deceive the Court and the public. Nowhere in the 'complaint document' does the Plaintiff seek a federal district court review of his divorce proceedings. Plaintiff's claim for damages from Defendants is for harm and loss suffered as a result of *their* malfeasant actions and breaches of *their* common law duties to Plaintiff. This is clearly stated in the causes of action. (Complaint paragraphs VI, VII, VIII, X)

The judge had one objective on his mind and that was to dismiss the case. However, the facts do not support any legal principles which would warrant a dismissal. Accordingly the judge fraudulently fabricated a basis for dismissal. The Ruling is littered with false and fraudulent statements to support his basis for dismissal. Whilst the individual statements are dealt with in the Plaintiff's Appeal Brief, it is the build-up of his finding and the thrust of the Ruling/Order which can be seen in no other way as an epic act of fraud by Judge Lovell.

APPENDIX 7

No. 05-35717

IN THE UNITED STATES COURT OF APPEALS

FOR THE 9th CIRCUIT

ANTHONY P. KEYTER

Plaintiff/Appellant (Pro Se)

Vs

230 GOVERNMENT OFFICERS

Defendants/Appellee s

MOTION FOR PRELIMINARY INJUNCTION

Urgent Motion under Circuit Rule 27-3(b)

Anthony P. Keyter
(Pro Se)
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Gig Harbor, WA. 98335
Telephone: (253) 853-3859

MOTION FOR PRELIMINARY INJUNCTION

There is a criminal conspiracy afoot to intimidate the Plaintiff/Appellant; to retaliate against the Plaintiff/Appellant; to neutralize Anthony P. Keyter as Plaintiff/Appellant and as a prime witness to crimes in the case; to remove key evidence from the court; to corruptly dismiss the case from courts without due process; to obstruct justice; to deny rights; and to render criminal assistance to known criminals. To date there are 377 known conspirators in the conspiracy. The 230 government officers who are Defendants/Appellees in this case (together with the 51 Joinders) represent a major part of that conspiracy.

Plaintiff Anthony P. Keyter respectfully moves this Court for injunctive relief against the Defendants, and against persons in active concert with them in this conspiracy. The objective of this injunction is to enjoin the Defendants and their co-conspirators listed in Appendix 1 to cease from further retaliation and harm against the Plaintiff as a prime witness to crimes committed by the 230 Defendants and their co-conspirators, which crimes have been filed with this court in this case. A concomitant objective of this injunction is to prohibit the Defendants and their co-conspirators from committing further offenses against the United States regarding this case.

RELIEF REQUESTED

This urgent motion for a preliminary injunction is filed to obtain the following immediate relief:

PART I

The 9th Circuit Court of Appeals is respectfully requested to issue a preliminary injunction against the 230

Defendants, and against their co-conspirators listed herein, to:

1. Prohibit any acts of intimidation of the Plaintiff, or retaliation against the Plaintiff in this case, and against his immediate family, either directly or indirectly.
2. Prohibit any illegal acts which may harm the Plaintiff or his immediate family.
3. Prohibit the removal of, or tampering with in any way, court evidence in this case, or in US Supreme Court case no. 05-140.
4. Prohibit any acts which may deny Plaintiff due process in the courts.
5. Prohibit any acts which may deny Plaintiff his Constitutional rights.
6. Prohibit the illegal interception of Plaintiff's communications in violation of the tenets of the Patriot Act.

This order to stand until the criminal investigations into the crimes presented herewith in Appendices 2 & 3 are complete and the law has been administered upon the perpetrators of the harmful acts.

PART II

The 9th Circuit Court of Appeals is respectfully requested to compel the Defendants and their co-conspirators to restore the record in: the US Supreme Court case no. 05-140, which has been criminally altered and removed by conspirators; and in the US District Court case status conference transcript. In the US Supreme Court, forty one (41) out of forty seven (47) documents filed, which documents have a direct bearing upon the administration of the laws upon the 230 Defendants and their co-conspirators, have been criminally removed from the court record and the US Supreme Court Justices have been denied sight thereof.

PART III

The 9th Circuit Court of Appeals is respectfully requested to terminate the harmful conspiracy and administer the laws upon the Defendants and their co-conspirators for the crimes presented in the criminal dossiers in Appendices 2 & 3.

Dated: April 25, 2006

Respectfully submitted,

Anthony P. Keyter, Pro Se

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

BACKGROUND/ FACTS

In January 2002, the Plaintiff suffered the seizure of his de jure property through illegal action by the Washington State Government. The Plaintiff sought 'protection of the laws' against that illegal action in the courts, as is his inalienable right secured to him by the Constitution of the United States and the Constitution of Washington State. However, in order to shield malfeasant government officials responsible for the illegal seizure, that 'protection of the laws' was denied the Plaintiff by government officers who had a duty to administer and enforce the laws. By failing their statutory duties, and by shielding felonious colleagues, the latter mentioned officials themselves fell foul of the law. They violated the tenets of 18USC3, 18USC4, 18USC 1505, (Statutes: Appendix 4) and joined in the conspiracy against

rights – the rights to the protection of the laws and ownership of rightful property.

As the Petitioner approached a growing number of government/law enforcement/judicial officials in his efforts to seek justice, the criminal endeavor within government to cover up the crimes and to protect felonious colleagues, escalated into the major criminal conspiracy it is today. Officials implicated in this conspiracy range from junior policemen to the highest authorities in the land. This obstruction of justice and criminal conspiracy is well documented in the criminal dossiers attached as Appendix 2, titled "State-Supported Tyranny upon the Populace", and Appendix 3, titled "Dossier of Crimes".

In a further attempt to redress the wrongs, Petitioner sought both civil and criminal restitution in the courts of the United States. However, the judicial system has also failed to address the staggering level of criminal offenses perpetrated by government officials. In each case, corrupt and politically-motivated judges joined forces with the conspirators and have, in violation of the law, dismissed the cases before trial in order to protect lawbreaking government officials. In a further effort to counteract and nullify the court cases, the conspirators embarked upon theft of court records, illegal removal of incriminating evidence, manipulation of court judgments, and a path of malicious intimidation and retaliation against the Plaintiff as primary witness to the crimes of government officers.

The aims of the intimidation and retaliation are:

a. To illegally deprive the judicial system of key documents and evidence in order to obstruct the efficacy of the court in dealing with the crimes of the 230 Defendants and their co-conspirators (The crimes are filed with this court and with the US Supreme Court).
b. To neutralize the Plaintiff as a key witness to the crimes of Defendants and co-conspirators.

c. To corruptly contrive circumstances that will render the Petitioner without standing or capacity to continue acting in the courts.
d. To dismiss this case against the 230 Defendants without due process of the law.

The acts by the 230 Defendants and their co-conspirators to achieve these aims are described below and are more fully dealt with in Appendices 2 & 3. A synopsis which provides a broader background is tabled in these appendices, Chapter 0.2 or Chapter 1 respectively.

TAMPERING WITH AND ILLEGAL REMOVAL OF COURT EVIDENCE

Illegal Alteration of District Court Record

The transcript of the status conference in the case *Anthony P. Keyter vs. 230 Government Officers* in the US District Court, Western District of Washington, was altered by the presiding judge to remove incriminating statements from the court records. (Further described in Appendix 3, "Dossier of Crimes", Chapter 18.24, page 5).

Illegal Removal of US Supreme Court Record

Plaintiff filed petitions for writs of certiorari and mandamus against President Bush in the Supreme Court case no. 05-140: *Anthony P. Keyter vs. George W. Bush.* Underlying these petitions are multiple felonies perpetrated by the President and by many of the co-conspirators listed herein, who include the 230 Defendants. Prima facie evidence was filed as supporting documentation. In an illegal attempt to escape civil and criminal prosecution, the conspiracy removed incriminating documents and evidence from the Supreme Court. In fact, 41 out of 47 documents filed in that case were illegally removed from court and the Justices of the Supreme Court have been denied sight thereof. *All documents* containing details of crimes committed by the 230 Defendants in this case, and their co-conspirators, are

amongst those papers removed from the US Supreme Court. This conduct furthered the aims of each member of the illegal conspiracy to evade and obstruct criminal justice, and to render assistance to lawbreaking peers. A list of the missing documents and further details of the crimes can be found in Appendix 2, Chapter 1, in the document "Affidavit of Complaining Witness/Criminal Complaint of March 4, 2006."

Removal of Petition for Mandamus

In particular, the fraud around and the removal of the *petition for writ of mandamus* from the Supreme Court, has furthered the illegal aims of the 230 Defendants and their co-conspirators. The aim of the mandamus order was to command President Bush to take care that the laws are administered on the criminal conspirators. This petition was filed seven times with the US Supreme Court, but was, on each and every occasion, illegally removed from the court records by conspirators. By preventing the issue of this order by the Supreme Court, the 230 Defendants and their co-conspirators escaped criminal culpability. (Appendix 2, Chapter 1)

Theft of Criminal Dossiers

The Petition for Writ of Certiorari in the case Keyter vs. Keyter, filed in the Supreme Court on January 27, 2006, and again on March 29, 2006, was also consecutively and corruptly removed from the court. The criminal dossiers, the 'Dossier of Crimes' and the dossier titled 'Tyranny upon the Populace', which details a large parcel of crimes committed by the 377 conspirators including the 230 Defendants, was removed and appears nowhere in the court record. On 6 previous occasions, earlier Revisions of the above titled dossiers were illegally removed from the Supreme Court Records. The thieving and removal of these dossiers furthered the aims of the criminal conspiracy of all 377 conspirators, including the 230 Defendants, and assisted them

to escape justice. (Further described in Appendix 2, Chapter 1.2).

Theft of Criminal Complaint of March 4, 2006.

On March 4, 2006, criminal charges relating to intimidation of a witness, theft of court record, misprision of felony, and other harmful crimes were filed against President Bush and 38 others in the US Supreme Court in case no. 05-140. However, the Affidavit of Complaining Witness/Criminal Complaint of March 4, 2006, was also illegally removed from court records before the Justices had sight thereof or deliberated thereupon. Once more, on March 14, 2006, these documents were filed with the Supreme Court clerks, and once again they were removed at the behest of the criminal conspirators. Once more the 230 Defendants and their co-conspirators escaped criminal prosecution through the co-operative illegal acts of the conspiracy.

INTIMIDATION

Judge Tampers with Witness in District Court

The presiding judge in the case *Anthony P. Keyter vs. 230 Government Officers* in the US District Court, Western District of Washington, knowingly used intimidation and threats to corruptly attempt to dissuade or prevent the Plaintiff from communicating information relating to the commission of federal offenses of the 230 Defendants in the case. (Further details in Appendix 3, Dossier of Crimes, Chapter 18.24, page 4).

Washington Assistant Attorney General Threatens Witness

The Assistant Attorney General for Washington State, acting as counsel for some of the 230 government officers in the District Court, joined forces with the malfeasant judge, reiterated and amplified the threats, and was joined by all the Defendants in her intimidation in order to prevent the

reporting of Defendants crimes. (Further details in Appendix 3, Dossier of Crimes, Chapter 18.26, pages 3&4).

Criminal Plot to Intimidate and Retaliate.

On February 9, 2006, the Plaintiff filed a criminal complaint **(Chapter 1.2)** in the US Supreme Court for extensive theft of the record in case no. 05-140: *Anthony P. Keyter vs. George W. Bush* – a case intended, amongst others, to compel President Bush to take care of the faithful execution of the laws pertaining to the crimes of the conspirators, including the 230 Defendants. Within 24 hours of those charges being filed, the conspirators cooperatively hatched a plot to retaliate against the Plaintiff. The execution of this criminal plot is well under way through the offices of the White House, the Boeing Company, the Federal Aviation Authority, and through the courts, on behalf of the 377 conspirators, as described below. (Further described in Appendix 2, Chapter 1.2).

The Boeing Company Threatens Termination of Employment.

In an arrangement beneficial to all the conspirators, the White House and the Boeing Company immediately embarked upon a course of intimidation upon the Plaintiff via threats of termination of employment, and scuttling his professional career. (Further described in Appendix 2, Chapter 1.2).

Supreme Court Police Intimidates and Harasses Plaintiff

The Supreme Court Police intimidated and harassed Plaintiff when he reported to them the theft of record from the Supreme Court. (Further described in Appendix 2, Chapter 1.2).

RETALIATION AGAINST THE PLAINTIFF

Slander

Following the filing of the criminal complaint on February 9, 2006, and under direct orders from the President, White House aids contacted Plaintiff's employer, the Boeing Company, and maliciously slandered his good name. (See Appendix 2, Chapter 1.2).

Destruction of Plaintiff's Livelihood.

On March 10, 2006, the Boeing Company implemented their earlier threats, retaliated against the Plaintiff for filing the criminal complaint and discharged him from his 17-year employment at the company on fabricated pretext, and thereby destroyed Plaintiff's livelihood. These steps resulted directly from Plaintiff's filing of criminal charges against those conspirators who have removed evidence of the illegal conspiracy.

Obstructing Plaintiff in the Free Exercise of his Profession

The malevolent and illegal retaliation has not ceased, but is persisting. The conspirators continue in their efforts to destroy Plaintiff's livelihood and to obstruct his ability to earn an income. In collusion with the Federal Aviation Authority (FAA) conspirators have temporarily blocked Plaintiff from using his federal flying license, and corrupt efforts are under way to have his license revoked. (Appendix 2, Chapter 1). In this way conspirators have prevented him from finding another job in his profession as a pilot, with the objective of destroying his financial resource and ability to pursue the court actions against the 230 Defendants and co-conspirators.

Fraudulently Seeking 'Mental Incapacity'

Attempts were made by the conspirators, acting through the Boeing Company, to have the Plaintiff fraudulently certified as 'mentally incapacitated' to hold legal

standing. The Conspiracy's objective was to neutralize the Plaintiff as a civil litigant and as the key witness to the felonies committed by the conspirators. In this way the conspirators could escape criminal culpability. These attempts are well documented. The attempts were foiled. However, further attempts are presently under way through the FAA.

Threats to Plaintiff's Freedom and Personal Liberty.

An attempt was made by conspirators, acting through the Boeing Company, to curtail the freedom and personal liberty of Plaintiff by fraudulent means. This initial attempt failed. However, further attempts are now afoot with the aid of the FAA.

Deprivation of Plaintiff's Privacy

Plaintiff has been deprived of his privacy through the illegal interception of all his communications, in violation of the tenets of the Patriot Act. This is a further display of abuse of power and of state machinery, in a co-operative endeavor by the conspirators.

Deprivation of Plaintiff's Rights

The conspirators have also retaliated against the Plaintiff by denying him the right to the protection of the law. Each of the 349 conspirators who holds (or held) an official position, conspired to deny Plaintiff the right to the protection of the laws. By withholding and failing their individual duties, the state functions were thwarted and the Plaintiff's rights were deprived.

CRIMINAL CONSPIRACY TO COMMIT OFFENSE AGAINST COMPLAINANT AND THE STATE

The cooperative criminal acts committed by the 377 conspirators and described above, furthered the common aims of, and were of mutual benefit to, all 377 conspirators listed below. The illegal removal of these criminal dossiers

from the US Supreme Court Record suppressed information of the crimes of *all* the conspirators. The illegal removal of the mandamus petition from the Supreme Court Record saved *all* the conspirators, including the 230 Defendants, from a court order enforcing criminal investigation and resultant prosecution of their crimes. It is the combined action by conspirators that has served to defeat the course of justice so absolutely - one conspirator or group performing one part of the criminal act, another, the other part of the act. For instance: one conspirator committing the crime of intimidating and retaliating against the Plaintiff, the other illegally protecting that lawbreaking colleague by failing to investigate or prosecute the crime.

A case in point is the case of Judge Lovell who illegally intimidated and threatened Plaintiff in order to dissuade Plaintiff from filing criminal charges against the 230 Defendants. (Appendix 3, Chapter 18.24, p4&5). Jennifer Meyers, the Assistant Attorney General for Washington State, joined forces with the malfeasant judge and reiterated and amplified the threats. The Plaintiff filed criminal charges against Jennifer Meyers for intimidation. (Appendix 3, Chapter 18.26, p3&4). Her crimes were filed with, but were criminally discarded by policemen, prosecutors, judges, the Washington State Chief Justice, the Attorney General and Deputy Attorney General, Governor, and ultimately all of the 230 Defendants - all of whom have a duty to address her crimes. The 230 Defendants withheld their government functions to administer or enforce the laws on either Jennifer Meyers or Judge Lovell in a conspiratorial closed loop of mutual protection of one another – to the exclusion of the cause of state, and rights of the Plaintiff to the protection of the laws.

FURTHER RETALIATION AND OFFENSES PLANNED

This cooperative endeavor amongst the 377 conspirators to commit offense against the Plaintiff and the state, or to assist in the commission thereof, was amply demonstrated during the period March 13 to 25, 2006. Meetings were held between representatives of the different groupings of conspirators, under the auspices of US Attorney General Gonzales, to plot their evasion of criminal culpability for crimes committed and to render criminal assistance to one another, and to plot further retaliation against the Plaintiff.

There is indeed a grim threat and a high probability of further retaliation against the Plaintiff on behalf of the 377 conspirators, including: serious physical harm; incarceration and curtailment of his freedom and personal liberty; a break-in and theft of incriminating documents or removal of incriminating evidence from the Plaintiff's apartment with a phony search warrant corruptly obtained. Moreover, there are many high profile and politically powerful officials amongst the 230 Defendants and their co-conspirators. Their propensity to malice, and the absolute impunity with which they can violate the laws, is amply demonstrated in the 1600 pages of the criminal dossiers attached hereto as Appendices 2 & 3. When the extent of their legal predicament is considered, an attempt on Plaintiff's life cannot be ruled out.

CONCLUSION

The objective of this injunction is to prevent further retaliation and harm upon the Plaintiff, and to prohibit the 230 Defendant's in this case, and their co-conspirators, from committing further offenses against the United States.

Accordingly, this urgent motion for a preliminary injunction is filed to obtain immediate relief.

Dated: April 25, 2006
Respectfully submitted,

Anthony P. Keyter, Pro Se

APPENDIX 1 [TO MOTION FOR INJUNCTION]

LIST OF 377 CRIMINAL CONSPIRATORS

The White House: President George W. Bush; Vice President Dick Cheney; Secretary of State Condoleezza Rice.

US Congress: John McCain; Jon Kyl; Bill Frist; Mitch McConnell; Ted Stevens; Rick Santorum; Joe Lieberman; Orrin G. Hatch; F. J. Sensenbrenner.

US Department of Justice: John Ashcroft; Alberto Gonzales; Ralph Boyd, Jr; Albert Moskowitz; Ysmael Fonseca; Norman Hillman; Lisa Frank; James Comey; John C. Keeney; Ralph Boyd, Jr; Paul D. Clement. **US Attorney:-** Robert Brouillard; John McKay; Donald Currie; Kenneth Wainstein; Roscoe C. Howard; Mark E. Nagle; Carol Catherman; **FBI:-** Robert Mueller; Daniel D. O'Brien; Patricia Ferrick; Ellen D. Glass; Charles Mandigo; Danny Barkley; Unnamed female Agent (on Duty, 3.30pm, March 5, 2003); Laura Laughlin; **Secret Service:-** Mark Meisner; Mike Jolly; Unnamed Secret Service Agent..

US Marshals: George Walsh; Robert Robeson; Jim David.

Federal Aviation Administration: Barbara Biel; Michael Jones; FAA Designee Eric Jensen.

US Supreme Court: Justice John G, Roberts; **Clerks:** William K. Suter; Gail Johnson; Lynn Holtz; Mr. Atkins; Mr. Christopher Vasil; **Supreme Court Police:-** Ross Swope; Jeff Smith; Jeff Banaszak; Krista Jaffe; Officer Quigley; Officer Moore; Officer Gordon.

US Court of Appeals: DC Cct:- Judge Douglas H. Ginsberg; Judge Merrick B. Garland; Judge Karen L.

Henderson; Judge Judith W. Rogers; udge David B. Sentelle; Judge Harry T. Edwards; Judge A. Raymond Randolph; Judge Laurence H. Silberman; Judge David S. Tatel; Judge Stephen F. Williams; **Federal Cct:-** Judge Paul Michel; **Clerks:** Mr. Hoskin. **9th Cct:-** Judge Mary M. Schroeder; Judge S. Reinhardt; Judge M.D. Hawkins.

US District Court: DC- Judge Hogan; Judge Emmet G. Sullivan; Judge John Focciola; **Assistant:** Sarah Hodges. **Western Washington:** Judge C.C. Lovell; Judge R. J. Bryan; Judge R.S. Lasnik; **Arizona:** Judge David G. Campbell;

Washington State Supreme Court: Commissioner Geoffrey Crooks; Justice Gerry Alexander; Justice Bobbe J. Bridge; Justice Tom Chambers; Justice Mary E. Fairhurst; Justice Faith Ireland; Justice Charles W. Johnson; Justice Barbara Madsen; Justice Susan Owens; Justice Richard B Sanders.

Washington State Court of Appeals: Judge David H. Armstrong; Judge C.C. Bridgewater; Judge Christine Quinn-Brintnall; Judge Elaine Houghton; Judge Robin J. Hunt; Judge Dean J. Morgan; Judge Marywave Van Deren. **Clerks:-** Mr. Ponzoha; Ms. Syl.

Washington State Superior Court: Judge Sergio Armijo; Judge Rosanne Buckner; Judge Brian Chushcoff; Judge Bruce W. Cohoe; Judge Ronald Culpepper; Judge Frank E. Cuthbertson; Judge Thomas J. Felnagle; Judge Frederick W. Fleming; Judge Beverly G. Grant; Judge Vicki L. Hogan; Judge Thomas P. Larkin; Judge Linda C.J. Lee; Judge John A. McCarthy; Judge Kathryn J. Nelson; Judge James Orlando; Judge D. Gary Steiner; Judge Katherine M. Stolz; Judge Brian Tollefson; Judge Kitty-Anne van Doornick; Judge Lisa Worswick; Judge Stephanie Arend;

Commissioner Robyn Lindsay; Commissioner James Marshall; Judge Deborah Fleck.

Washington State Employees: Executive:- Christine Gregoire; Gary Locke; Brad Owen; Sam Reed; **Attorney General's Office:-** Jeffrey Goltz; Robert McKenna; Craig Wright; Jennifer Meyers; **State Patrol:-** John Batiste; Ronal Serpas; Lt. Davis; Sergeant Dahl; Joe Olson. **Washington State Committee on Judicial Conduct:-** Sherry Appleton; Vivian Caver; Marianne Connelly; Gregory Dallaire; Judge Michael E. Donohue; Margo Keller; Connie Michener; Ruth Reukauf, Judge; John A. Schultheis, Judge; K. Collins Sprague; Todd K. Whitrock; Mary Kay Becker, Judge; John McCarthy, Judge; Antonio Cube, Sr.; Joseph Delay; Judie Fortier; Nora Gallaher; Lorraine Lee; Wanda Briggs; Mike Sotelo; Betsy Wilkerson; Judge Clark; David Akana; Barrie Althof.
Washington State Executive Ethics Board:- James Vaché; Marilee Scarbrough; Laquita Fields; Paul Zellinski; Trish Akana; Brian Malarky; **Washington State Legislative Ethics Board:-** Paul Aldinger; James Anderson; William Asbury; John Betrozoff; Ruth Schroeder; Mike O'Connell. **Washington State Senate:-** Don Benton; Dale Brandland; Lisa Brown; Don Carlson; Alex Deccio; Mark Doumit; Tracey Eide; LukeEsser; Darlene Fairley; Bill Finkbeiner; Rosa Fanklin; Karen Fraser; Patricia Hale; Jim Hargrove; Mary Margaret Haugen; Mike Hewitt; Jim Honeyford; Jim Horn; Stephen Johnson; Jim Kastama; Karen Keiser; Adam Kline; Jeanne Kohl-Welles; Rosemary McAuliffe; Bob McCaslin; Bob Morton; Joyce Mulliken; Bob Oke; Linda Evans Parlette; Erik Poulsen; Margarita Prentice; Marilyn Rasmussen; Aaron Reardon; Debbie Regala;Pam Roach; Dino Rossi; Dave Schmidt; Larry Sheahan; Betti Sheldon;Tim Sheldon; Paull Shin; Harriet Spanel; Val Stevens; Dan Swecker; Pat Thibaudeau; James West;Shirley Winsley; Joseph Zarelli.

Washington State House of Representatives:-John Ahern; Gary Alexander; Glenn Anderson; Mike Armstrong; Barbara Bailey; Brad Benson; Jean Berkey; Brian Blake; Marc Boldt; Jim Buck; Roger Bush; Jack Cairnes; Tom Campbell; Michael Carrell; Bruce Chandler; Maralyn Chase; Frank Chopp; Jim Clements; Judy Clibborn; Eileen Cody; Cary Condotta; Steve Conway; Mike Cooper; Don Cox; Larry Crouse;Jeannie Darneille; Richard DeBolt; Jerome Delvin; Mary Lou Dickerson; Hans Dunshee; Jeanne Edwards; William Eickmeyer; Doug Ericksen; Dennis Flannigan; Bill Fromhold; Jeff Gombosky; Bill Grant; Kathy Haigh; Shirley Hankins; Brian Hatfield; Bill Hinkle; Janéa Holmquist; Zack Hudgins; Sam Hunt; Ross Hunter; Fred Jarrett; Ruth Kagi; Phyllis Gutierrez Kenney; Lynn Kessler; Steve Kirby; Dan Kristiansen; Patricia Lantz; Kelli Linville; John Lovick; Dave Mastin; John McCoy; Joe McDermott; Joyce McDonald; Jim McIntire; Lois McMahan; Cathy McMorris; Thomas Mielke; Mark Miloscia Jim Moeller; Dawn Morrell; Jeff Morris; Edward Murray; Daniel Newhouse; Toby Nixon;Al O'Brien; Ed Orcutt; Kirk Pearson; Eric Pettigrew; Cheryl Pflug; Skip Priest; David Quall; Dan Roach; Phil Rockefeller; Sandra Singery Romero; Laura Ruderman; Sharon Tomiko Santos; Lynn Schindler; Mark Schoesler; Shay Schual-Berke; Barry Sehlin; Jan Shabron; Geoff Simpson; Mary Skinner; Helen Sommers; Brian Sullivan; Bob Sump;Gigi Talcott; Rodney Tom ; Dave Upthegrove; Velma Veloria; Deb Wallace; Alex Wood; Beverly Woods.

Illinois State Government: Rod R. Blagojevich; Lisa Madigan.

The Boeing Company and Associate: John Biggs; John E. Bryson; Linda Z. Cook; Kenneth M. Duberstein; John F. McDonnell; W. James McNerney, Jr.; Richard Nanula; Rozanne L. Ridgeway; John M. Shalikashvili; Mike S. Zafirovski; Allan Mullaly; Douglas G. Baine; Richard

Stephens; Bonnie Soodek; Tom Pickering; Ken Higgins; Martha Ries; Dinesh Keskar; Mike Coker; Linda Enebrad; Butch Moody; Kevin King; **Boeing Business Associate, Air India: -** Mr. V. Thulasidas.

Pierce County: Council:- John Ladenburg; Shaun Bunney; Paul Bocchi; Barbara Gelman; Calvin Goings; Terry Lee; Harold Moss; Kevin Wimsett; **Pierce County Sheriff's:-** Paul Pastor; Graig Adams; Deputy Bram; **Pierce County Prosecutors:-** Gerald Horne; Gerald Costello; Daniel R. Hamilton.

Tacoma City: Councilors:- Bill Baarsma; Bill Evans; Connie Ladenburg; Mike Lonergan; Sharon McGavick; Doug Millar; Bil Moss; Kevin Phelps; Rick Talbert; **Tacoma Police:-** Donald Ramsdell; Catherine Woodard; **Attorney:** Jon J. Walker.

City of Gig Harbor: Police Department:- Mike Davis, Mitch Barker; Officer Entze. **Attorney:** Carol A. Morris.

Maureen E. Keyter; Attorney Mike Turner.

APPENDIX 2 [TO MOTION FOR INJUNCTION]
The dossier titled "State-supported Tyranny upon the Populace" is filed separately due to its bulk.

APPENDIX 3 [TO MOTION FOR INJUNCTION]
The dossier titled "Dossier of Crimes" is filed separately due to its bulk.

APPENDIX 4 [TO MOTION FOR INJUNCTION]
Addendum of Statutes.